

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

A G E N D A

OCTOBER 27, 2020

10:00 A.M.

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA

Call to Order

Approval of Agenda

Approval of Minutes – October 20, 2020

Reading of Correspondence

Public Comments

Presentation – Mark Isaacs, Director, Carvel Research and Education Center

Todd Lawson, County Administrator

1. DelDOT Transportation Improvement District (TID) consideration and approval
2. Administrator's Report

10:15 a.m. Public Hearings

1. Friendship Hall Annexation in the Miller Creek Area
2. Countryside Hamlet Annexation in the Dagsboro/Frankford Area

Jamie Whitehouse, Planning and Zoning Director

1. Discussion and Possible Introduction of a Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXV, SECTION 115-194.3 OF THE CODE OF SUSSEX COUNTY REGARDING THE COASTAL AREA"



Patrick Brown, Engineer

1. Robinsonville Road Core Infrastructure, Project S19-16

A. Approve Final Balancing Change Order and Substantial Completion

Grant Requests

- 1. Town of Delmar for tree lighting ceremony**
- 2. Delaware Center for the Inland Bays for James Farm Master Plan Implementation, Phase 2**
- 3. Delaware Community Foundation for Sussex County Health Coalition's Delaware Goes Purple substance abuse prevention project**

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. 1906 filed on behalf of Eliud Ramirez-Mejia

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 2.53 ACRES, MORE OR LESS” (property lying on the west side of Dagsboro Road, approximately 0.24 mile south of Crickett Street (Tax I.D. No. 233-5.00-172.00) (911 Address: 27436 Dagsboro Road, Dagsboro)

Conditional Use No. 2237 filed on behalf of Samuel C. Warrington II

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR OUTDOOR RV AND BOAT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.5 ACRES, MORE OR LESS” (property lying on the southeast side of Postal Lane, approximately 0.38 mile southwest of Coastal Highway (Route 1) (Tax I.D. No. 334-12.00-55.01 (Portion of) (911 Address: None Available)

Conditional Use No. 2239 filed on behalf of Coastal Services, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT AND A GR GENERAL RESIDENTIAL DISTRICT FOR A GENERAL CONTRACTING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.08 ACRES, MORE OR LESS” (property lying on the west side of Cedar Neck Road (Route 357) approximately 0.64 mile north of Fred Hudson Road (S.C.R. 360) (Tax I.D. No. 134-9.00-67.00) (911 Address: 30430 & 30432 Cedar Neck Road, Ocean View)

Adjourn

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on October 20, 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://sussexcountye.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://sussexcountye.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@sussexcountye.gov. All comments shall be submitted by 4:30 P.M. on Monday, October 26, 2020.

#

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
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date September 24, 2020.

Application: (CZ 1906) Eliud Ramirez-Mejia

Applicant: Eliud Samuel Ramirez Mejia
153 Clayton Avenue
Frankford, DE 19945

Owner: Eliud Samuel Ramirez Mejia
153 Clayton Avenue
Frankford, DE 19945

Site Location: Located on the west side of Dagsboro Road (Route 20) approximately
0.24 mile south of Crickett Street at 27346 Dagsboro Road, Dagsboro,
DE 19947.

Current Zoning: Agricultural Residential (AR-1)

Proposed Zoning: Medium Commercial (C-2)

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmatic
District: Mr. Rieley

School District: Indian River School District

Fire District: Dagsboro Fire District

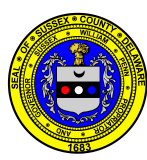
Sewer: Private, On-Site

Water: Private, On-Site

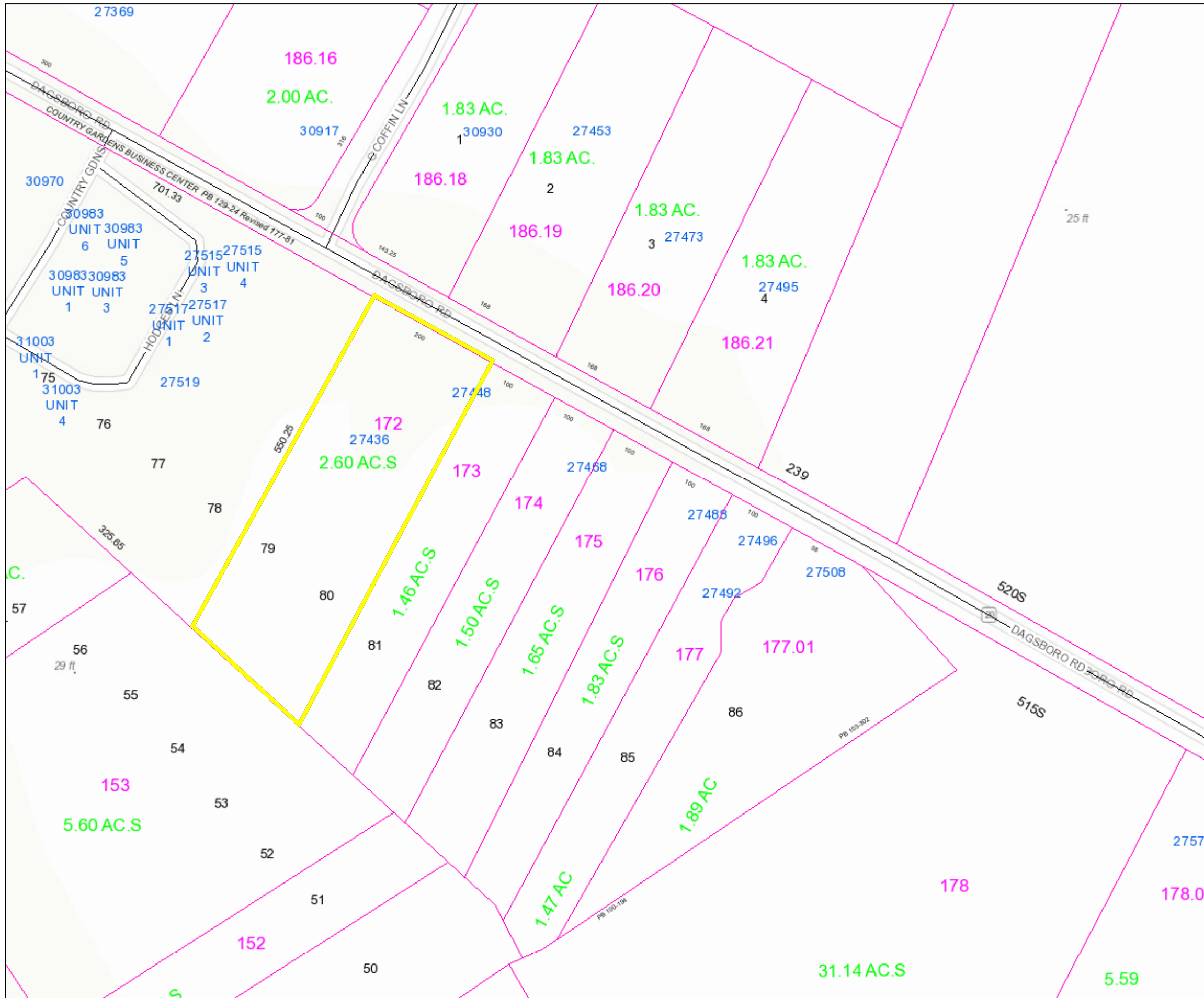
Site Area: 2.53 acres +/-

Tax Map ID.: 233-5.00-172.00





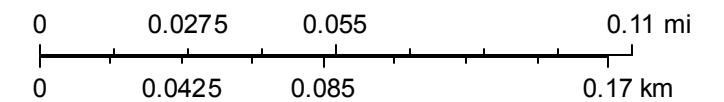
Sussex County



PIN:	233-5.00-172.00
Owner Name	RAMIREZ-MEJIA ELUID
Book	4906
Mailing Address	153 CLAYTON AVE
City	FRANKFORD
State	DE
Description	W/HWY. LOT 79 & 80
Description 2	HOUSTON ACRES
Description 3	N/A
Land Code	

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

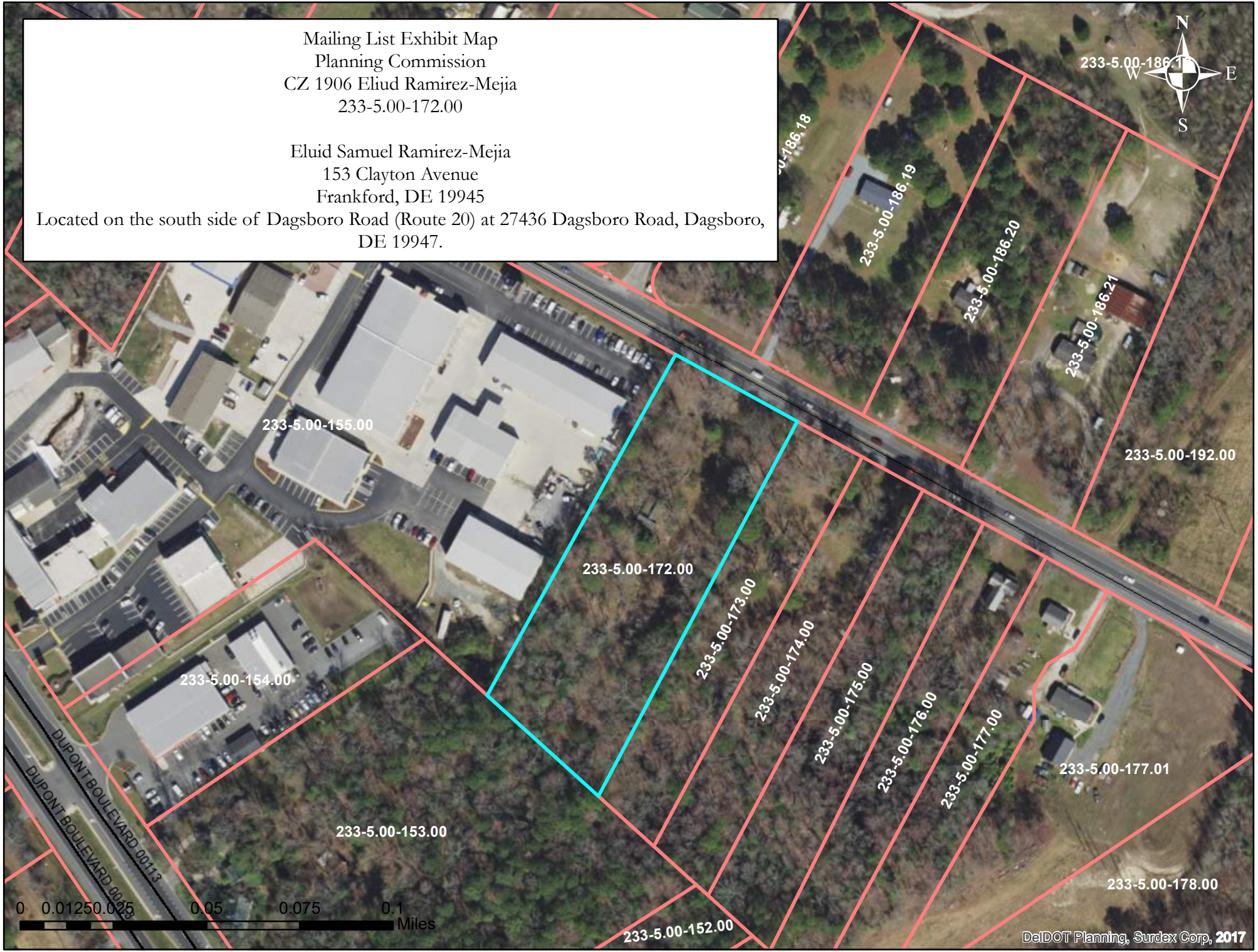
1:2,257



Mailing List Exhibit Map
Planning Commission
CZ 1906 Eliud Ramirez-Mejia
233-5.00-172.00

Eliud Samuel Ramirez-Mejia
153 Clayton Avenue
Frankford, DE 19945

Located on the south side of Dagsboro Road (Route 20) at 27436 Dagsboro Road, Dagsboro,
DE 19947.



JAMIE WHITEHOUSE, AICP MRTPI
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: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: September 2, 2020
RE: Staff Analysis for CZ 1906 Eliud Samuel Ramirez-Mejia

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1906 Eliud Samuel Ramirez-Mejia to be reviewed during the September 24, 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 parcel 233-5.00-172.00 to facilitate a change from an Agricultural Residential (AR-1) Zoning District to the Medium Commercial (C-2) Zoning District and is located at 27436 Dagsboro Road on the west side of Dagsboro Road (Route 20), approximately 0.24 miles south of Crickett Street. The size of the property is 2.60 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 property has the land use designation of "Coastal Areas."

The areas to the north, east and south are also designated "Coastal Areas." "Coastal Areas" are areas that can accommodate development provided special environmental concerns are addressed. The "Coastal Areas" also supports a range of housing types including single-family homes, townhomes, 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. Mixed-use development should also be allowed. The parcels to the northwest of parcel 172.00 are designated "Commercial Areas." "Commercial Areas" include concentrations of retail and service including commercial corridors, shopping centers

The Medium Commercial (C-2) 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 Agricultural Residential (AR-1). The properties to the southeast, south and north sides of the application site on the opposite side of Dagsboro Road (Route 20) are zoned Agricultural Residential (AR-1) Zoning District. Properties to the west side of the application site are zoned General Commercial (C-1) as well as several properties to the southwest.



Since 2011, there have been two Change of Zone applications within the vicinity of the application site: To the east is CZ 1781 (Tax Parcel: 233-10.00-17.00) to facilitate a Change of Zone from an Agricultural Residential (AR-1) Zoning District to General Commercial (C-1) Zoning District, which was approved by County Council on September 22nd, 2015 through Ordinance #2418. The second application, to the west is CZ 1756 (Tax Parcel: 233-5.00-135.00) to facilitate a change of zone from an Agricultural residential (AR-1) Zoning District to a General Commercial (C-1) Zoning District, which was approved by County Council on October 7th, 2014 through Ordinance #2369.

Based on the analysis of the land use, surrounding zoning and uses, a change of zone to allow for a property zoned Medium Commercial (C-2) in this location, subject to parcel size and proposed zoning, could be considered as having a degree of consistency with the land use, surrounding area zoning and surrounding uses.

File #: CZ1906
201911602

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

27436 Pagsboro Rd, Pagsboro DE 19947

Type of Conditional Use Requested:

N/A

Tax Map #: 233-5.00-172.00 Size of Parcel(s): 2.53 Acres

Current Zoning: AR-1 Proposed Zoning: C-2 Size of Building: 3,200 SQFT

Land Use Classification: _____

Water Provider: On site Sewer Provider: On site

Applicant Information

Applicant Name: Eliud Samuel Ramirez Mejia
Applicant Address: 153 Clayton AVE
City: Frankford State: DE Zip Code: 19945
Phone #: 302 278 5471 E-mail: Eliud@Coastalpaintremodeling.com

Owner Information

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

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: N/A
Agent/Attorney/Engineer Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ 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**
 - 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: 10/09/2019

Signature of Owner

Date: 10/09/2019

For office use only:

Date Submitted: 10/9/19

Staff accepting application: CEH

Location of property: _____

Fee: \$500.00 Check #: credit card

Application & Case #: 2019 11602

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

September 25, 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 **Eliud Samuel Ramirez-Mejia** rezoning application, which we received on August 30, 2019. This application is for an approximately 2.53-acre parcel (Tax Parcel: 233-5.00-172.00). The subject land is located on the south side of Dagsboro Road (Sussex Road 334), approximately 1,000 feet east of the intersection of Dagsboro Road and Thorogoods Road (Sussex Road 333), south of the Town of Millsboro. The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking to rezone the land to C-2 (Medium Commercial) to develop up to three 3,200 square-foot unspecified buildings.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Dagsboro Road where the subject land is located, which is from the northwest Dagsboro limits to US Route 113, are 10,771 and 13,862 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.

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
September 25, 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
Eliud Samuel Ramirez-Mejia, 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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/8/2020**

APPLICATION: **CZ 1906 Eliude Ramirez-Mejia**

APPLICANT: **Eliude Samuel Ramirez-Mejia**

FILE NO: **DFPA-6.03**

TAX MAP &
PARCEL(S): **233-5.00-172.00**

LOCATION: **West side of Dagsboro Road (SR 20) approximately 0.24 mile south of Cricket Street. 27346 Dagsboro Road, Dagsboro, DE**

NO. OF UNITS: **Upzone from AR-1 to C-2 (medium commercial)**

GROSS
ACREAGE: **2.53**

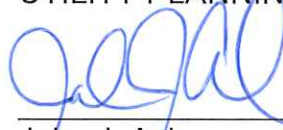
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

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 2**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** 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? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**
- 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: **The proposed Change of Zone is located in a Tier 2 area for sanitary sewer. The Sussex County Engineering Department does not have a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



John J. Ashman
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.
Jayne Dickerson
No Permit Tech Assigned

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

August 31, 2020

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

Robert Wheatley, Chairman
Sussex County Planning & Zoning Commission
2 The Circle
Georgetown, DE 19947

**RE: Change of Zone
CZ# 1906
Eliud Samuel Ramirez-Mejia**

Dear Chairman Wheatley:

I represent Mr. Ramirez who has applied for this change of zone. Enclosed is a packet of information supporting this application.

1. Tax Maps;
2. Future Land Use Map;
3. Zoning Maps;
4. Surrounding Maps;
5. DelDot No TIS;
6. Staff Analysis;
7. CZ# 1781 Minutes;
8. Site Plan

Respectfully submitted,

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

By: 

Timothy G. Willard

TGW/jel
Enclosures
Pc: Steven Engel
Mr. Eliud Ramirez-Mejia

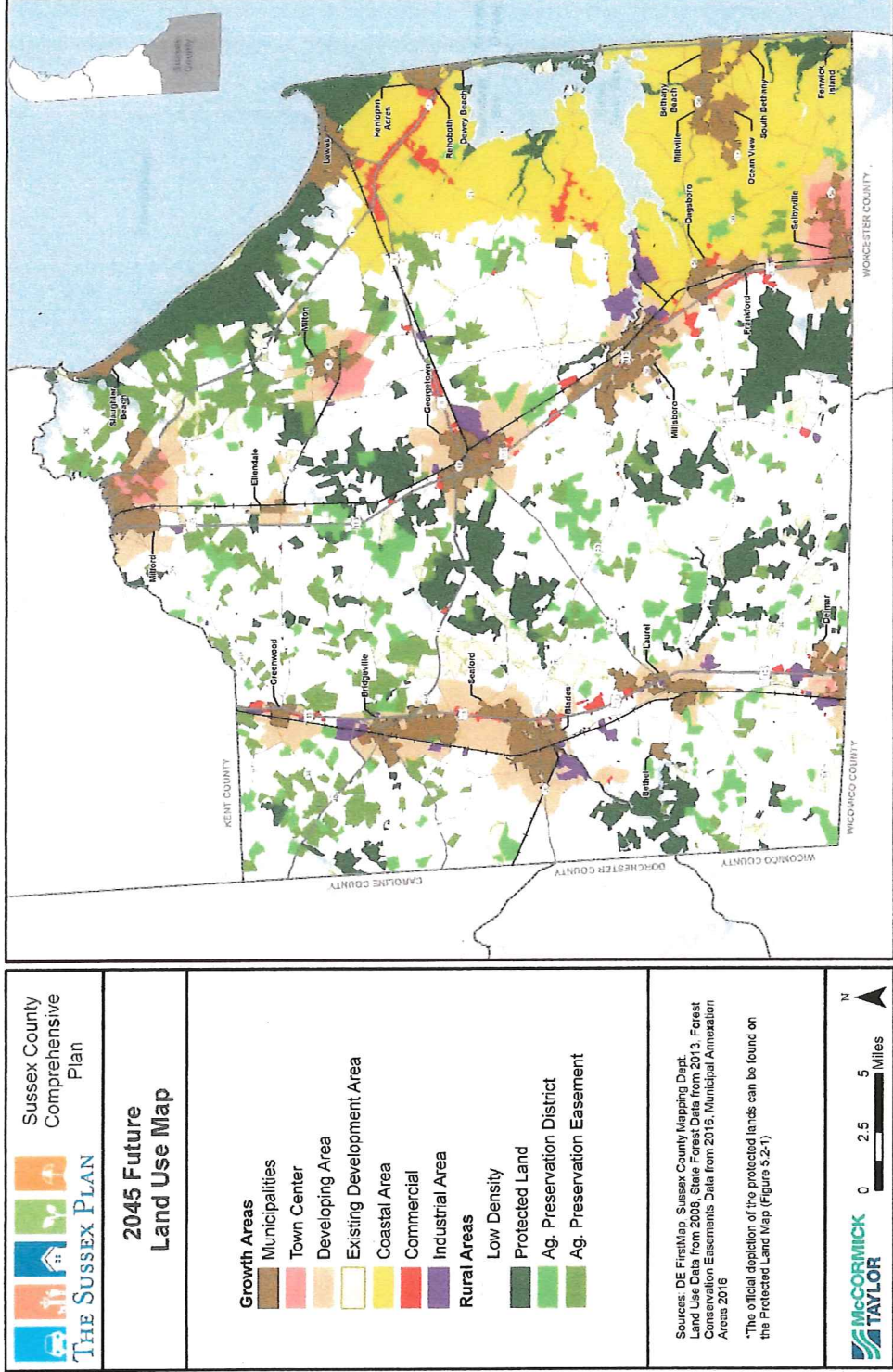
Mailing List Exhibit Map
Planning Commission
CZ 1906 Eliud Ramirez-Mejia
233-5.00-172.00

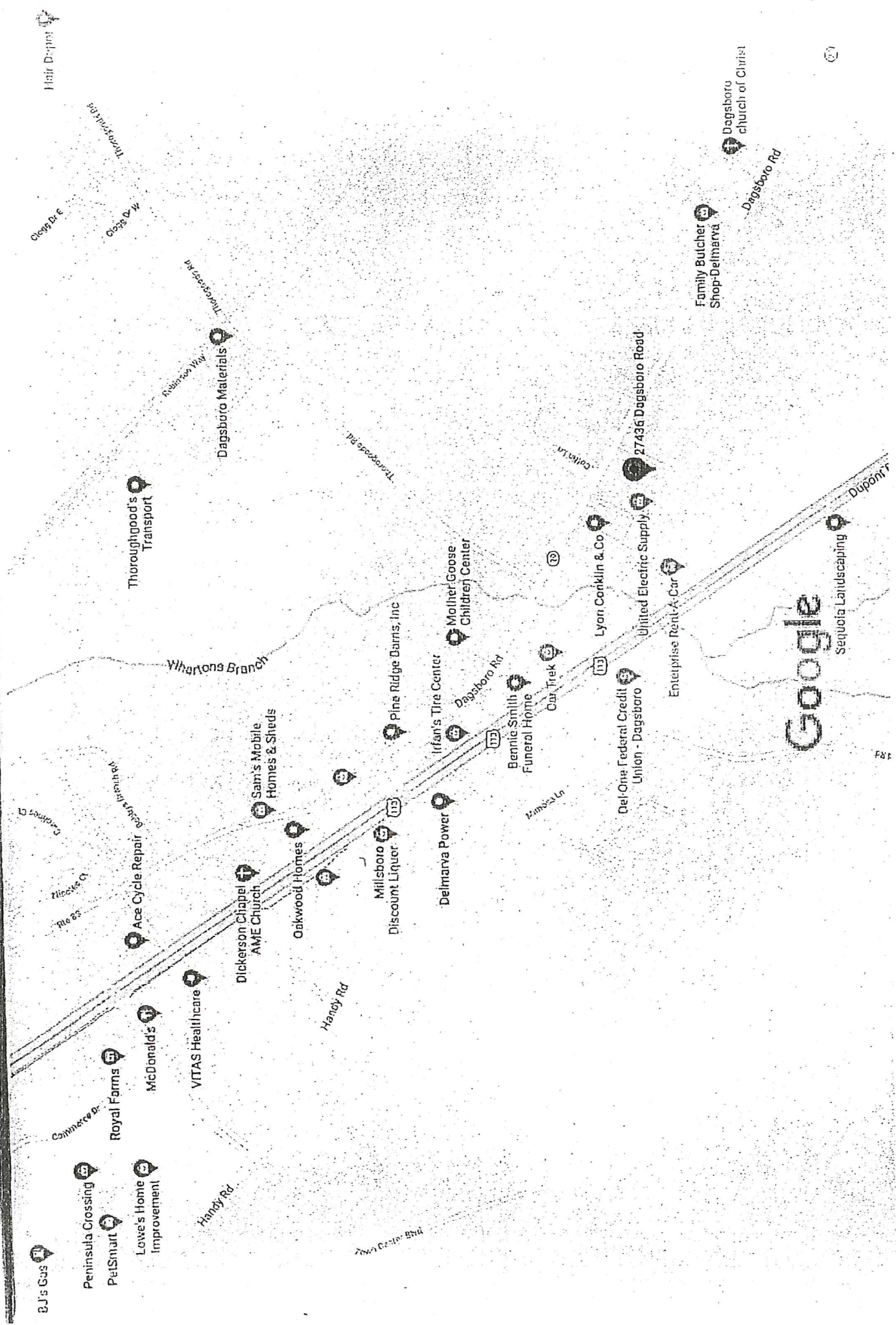
Eliud Samuel Ramirez-Mejia
153 Clayton Avenue
Frankford, DE 19945

Located on the south side of Dagsboro Road (Route 20) at 27436 Dagsboro Road, Dagsboro,
DE 19947.



Figure 4.5-1 Sussex County 2045 Future Land Use







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

JENNIFER COHAN
SECRETARY

September 25, 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 **Eliud Samuel Ramirez-Mejia** rezoning application, which we received on August 30, 2019. This application is for an approximately 2.53-acre parcel (Tax Parcel: 233-5.00-172.00). The subject land is located on the south side of Dagsboro Road (Sussex Road 334), approximately 1,000 feet east of the intersection of Dagsboro Road and Thorogoods Road (Sussex Road 333), south of the Town of Millsboro. The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking to rezone the land to C-2 (Medium Commercial) to develop up to three 3,200 square-foot unspecified buildings.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Dagsboro Road where the subject land is located, which is from the northwest Dagsboro limits to US Route 113, are 10,771 and 13,862 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.

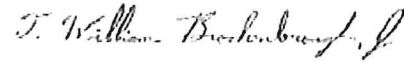
If the County approves this application, the applicant should be reminded that DeIDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell
Page 2 of 2
September 25, 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
Eliud Samuel Ramirez-Mejia, 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

JAMIE WHITEHOUSE, AICP MRTPI
ACTING PLANNING & ZONING DIRECTOR
(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: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: February 7, 2020
RE: Staff Analysis for CZ 1906 Eliud Samuel Ramirez-Mejia

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1906 Eliud Samuel Ramirez-Mejia to be reviewed during the February 13, 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 parcel 233-5.00-172.00 to facilitate a change from an Agricultural Residential (AR-1) Zoning District to the Medium Commercial (C-2) Zoning District and is located at 27436 Dagsboro Road on the west side of Dagsboro Road (Route 20), approximately 0.24 miles south of Crickett Street. The size of the property is 2.60 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 property has the land use designation of "Coastal Areas."

The areas to the north, east and south are also designated "Coastal Areas." "Coastal Areas" are areas that can accommodate development provided special environmental concerns are addressed. The "Coastal Areas" also supports a range of housing types including single-family homes, townhomes, 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. Mixed-use development should also be allowed. The parcels to the northwest of parcel 172.00 are designated "Commercial Areas." "Commercial Areas" include concentrations of retail and service including commercial corridors, shopping centers

The Medium Commercial (C-2) 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 Agricultural Residential (AR-1). The properties to the southeast, south and north sides of the application site on the opposite side of Dagsboro Road (Route 20) are zoned Agricultural Residential (AR-1) Zoning District. Properties to the west side of the application site are zoned General Commercial (C-1) as well as several properties to the southwest.



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

Since 2011, there have been two Change of Zone applications within the vicinity of the application site: To the east is CZ 1781 (Tax Parcel: 233-10.00-17.00) to facilitate a Change of Zone from an Agricultural Residential (AR-1) Zoning District to General Commercial (C-1) Zoning District, which was approved by County Council on September 22nd, 2015 through Ordinance #2418. The second application, to the west is CZ 1756 (Tax Parcel: 233-5.00-135.00) to facilitate a change of zone from an Agricultural residential (AR-1) Zoning District to a General Commercial (C-1) Zoning District, which was approved by County Council on October 7th, 2014 through Ordinance #2369.

Based on the analysis of the land use, surrounding zoning and uses, a change of zone to allow for a property zoned Medium Commercial (C-2) in this location, subject to parcel size and proposed zoning, could be considered as having a degree of consistency with the land use, surrounding area zoning and surrounding uses.

MINUTES OF THE REGULAR MEETING OF AUGUST 27, 2015

The regular meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, August 27, 2015 in the County Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware.

The meeting was called to order at 6:00 p.m. with Chairman Wheatley presiding. The following members of the Commission were present: Mr. Robert Wheatley, Mr. Rodney Smith, Mr. Michael Johnson, Mr. I.G. Burton, III and Mr. Martin Ross with Mr. Vincent Robertson – Assistant County Attorney, Mr. Lawrence Lank – Director, and Ms. Janelle Cornwell – Planning and Zoning Manager.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the Agenda as circulated. Motion carried 5 – 0.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the Minutes of August 13, 2015 as circulated. Motion carried 5 – 0.

OLD BUSINESS

C/U #2017 – Eli and Victoria Zacharia

An Ordinance to grant a Conditional Use of land in a MR (Medium Density Residential District) for multi-family dwelling structures to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 22,500 square feet, more or less. The property is located northwest of John J. Williams Highway (Route 24) 365 feet southwest of Spencer Lane, the entrance into Harts Landing Subdivision (911 Address: 20336 John J. Williams Highway, Lewes) Tax Map I.D. 334-18.00-7.00.

The Commission discussed this application which has been deferred since August 13, 2015.

Mr. Johnson stated that he was not at the public hearing; that he has not yet reviewed the record; and that he would like to participate in the vote.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

C/Z #1781 – Riverview Associates III, LLC

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 (Agricultural Residential District) to a CR-1 (Commercial Residential District) for a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, containing 3.00 acres, more or less. The property is located southwest of Dagsboro Road (Road 334) 900 feet northwest of Fire Tower Road (Road 334A) (911 Address: 28086 Dagsboro Road, Dagsboro) Tax Map I.D. 233-10.00-17.00.

The Commission discussed this application which has been deferred since August 13, 2015.

Mr. Johnson stated that he would not be participating in the discussion for this application since he was not present during the public hearing.

Mr. Smith stated that he would move that the Commission recommend approval of C/Z #1781 for Riverview Associates III, LLC for a Change of Zone from AR-1 Agricultural Residential to CR-1 Commercial Residential based upon the record made during the public hearing and for the following reasons:

- 1) This rezoning is for 3.0 acres of land. It is an expansion of an existing parcel that is currently zoned C-1 General Commercial. The applicant has sought the expansion to make a single usable commercially zoned parcel that is developable.
- 2) The site is situated along Dagsboro Road, near the intersection with U.S. Route 113. It is in an area where other commercial and business zonings and uses exist, including an office and retail complex. The use is consistent with these existing uses and zonings in the area.
- 3) The location is between Millsboro and Dagsboro in an area that is slowly developing. It is also within the Town Center Area under the County Comprehensive Plan, which permits commercial, retail, and office uses.
- 4) The use will not have an adverse effect upon neighboring properties. It is entirely surrounded by other land owned by the applicant.
- 5) The rezoning will not adversely affect area roadways or public facilities.
- 6) No parties appeared in opposition to the application.
- 7) Any development of the property will require further site plan approval by the Sussex County Planning and Zoning Commission.

Motion by Mr. Smith, seconded by Mr. Ross, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons stated. Motion carried 4 – 0. Mr. Johnson did not participate in the vote.

C/Z #1780 – Lockwood Design and Construction, Inc.

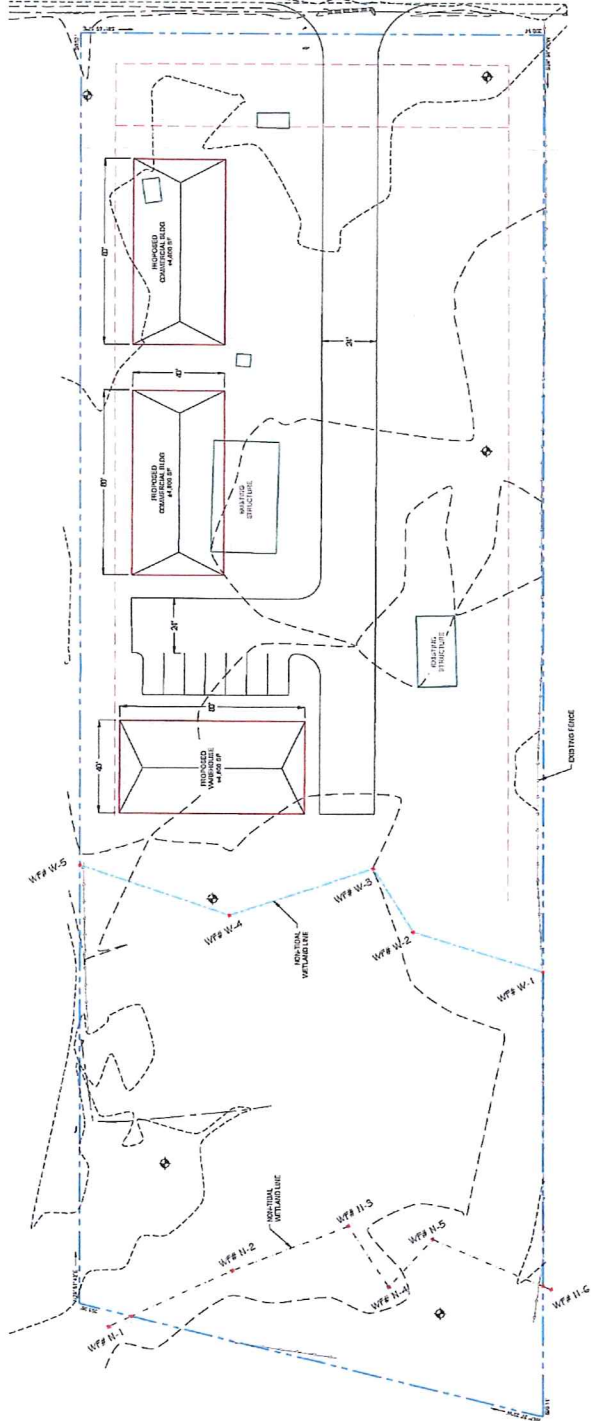
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 (Agricultural Residential District) to a HR-1-RPC (High Density Residential District – Residential Planned Community) for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 35.45 acres, more or less. The properties are located on the northeast side of Warrington Road (Road 275) 0.25 mile southeast of John J. Williams Highway (Route 24) (911 Address: None Available) Tax Map I.D. 334-12.00-127.02, 127.04, and 127.05.

The Commission discussed this application which has been deferred since August 13, 2015.

Mr. Johnson stated that he was not at the public hearing; that he has not yet reviewed the record; and that he would like to participate in the vote.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

Dagobert Road - State Route 20
75' R.O.W. - Metranance #6334
Minor Arterial - 50 MPH Speed Limit



VISTA
DESIGN, INC.
Engineers, Planners, Architects, Surveyors, Environmental Scientists, and Program Managers



Scale: 1" = 20'
DATE: 11/20/2011
PROJECT: 11-11-11-001

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, MTRPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: September 24, 2020

Application: CU 2236 Sam C. Warrington II

Applicant/Owner: Sam Warrington II
34378 Postal Lane
Lewes, DE 19958

Site Location: On the southeast side Postal Lane (S.C.R. 238), approximately 0.38 mile southwest of the intersection of Coastal Highway (Route 1) and Postal Lane (S.C.R. 238)

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: RV & Boat Storage

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

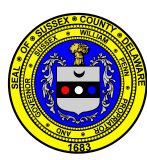
Sewer: Septic

Water: Private

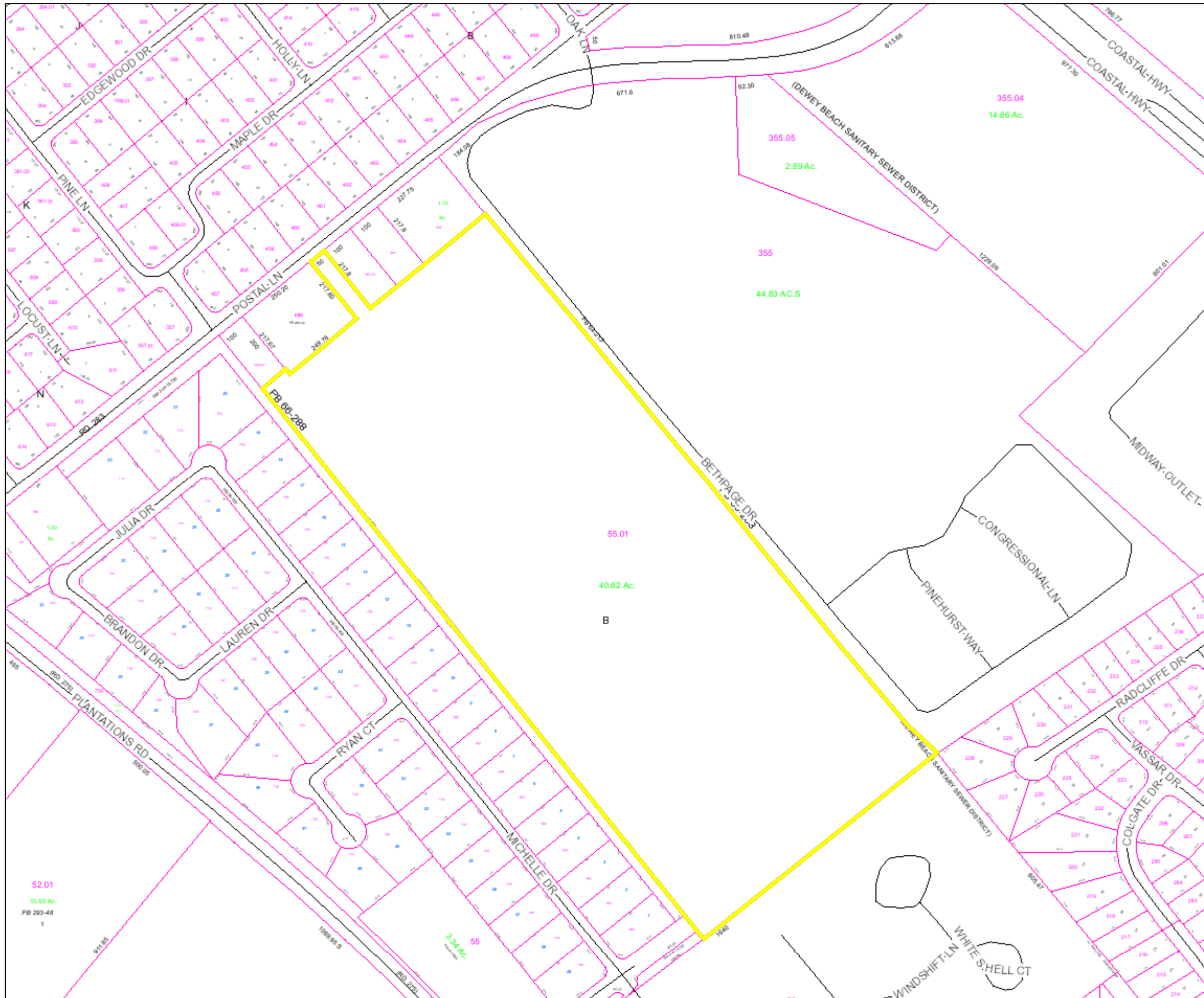
Site Area: 2.5 Acres

Tax Map ID.: 334-12.00-55.01 (Portion of)





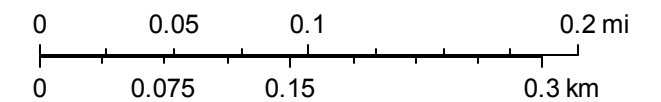
Sussex County



PIN:	334-12.00-55.01
Owner Name	WARRINGTON SAMUEL C II
Book	3350
Mailing Address	34378 POSTAL LN
City	LEWES
State	DE
Description	SE/RD 283
Description 2	1597' SW/RT 1
Description 3	
Land Code	

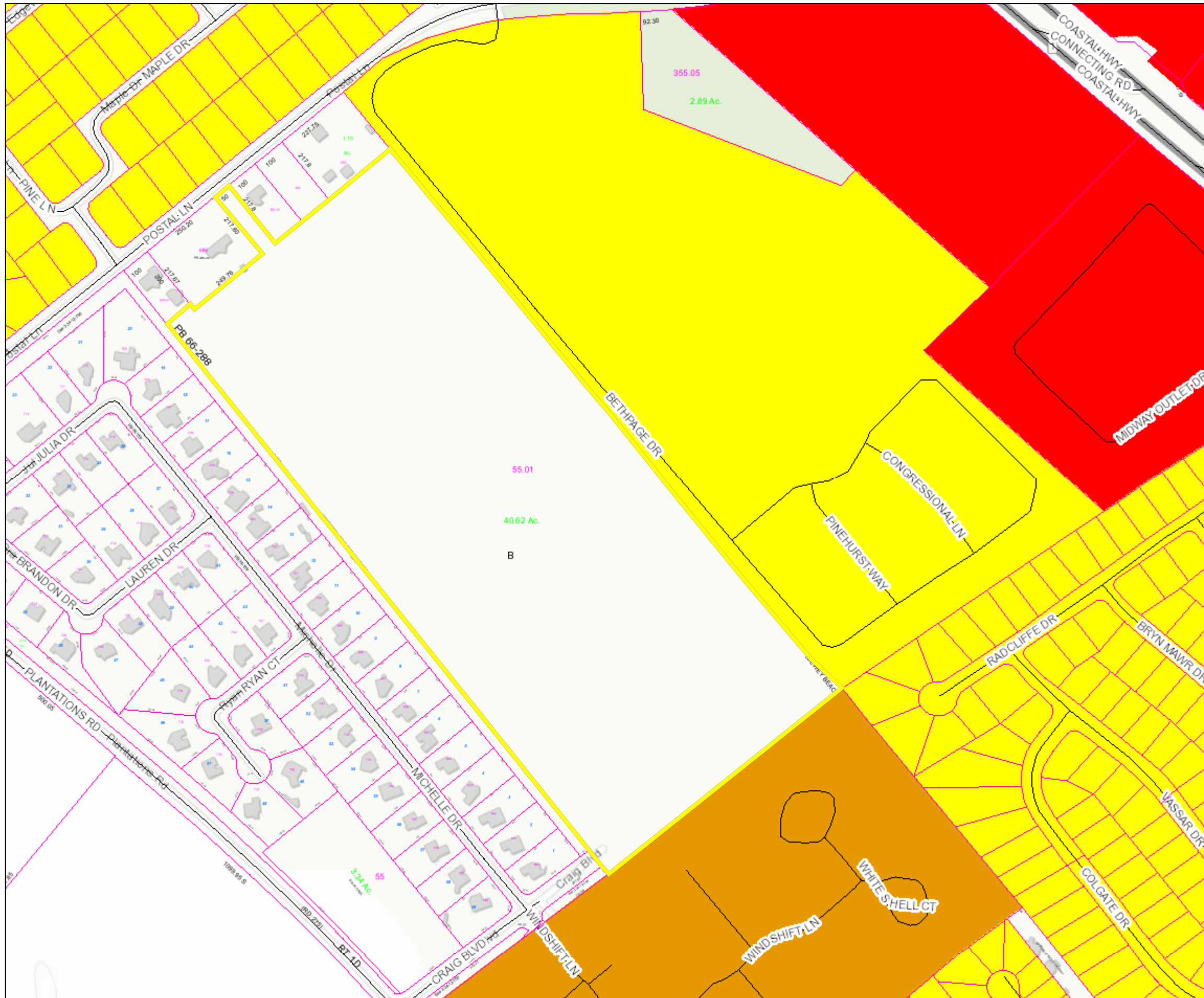
- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels
- Streets
- County Boundaries
- Municipal Boundaries

1:4,514





Sussex County



PIN:	334-12.00-55.01
Owner Name	WARRINGTON SAMUEL C II
Book	3350
Mailing Address	34378 POSTAL LN
City	LEWES
State	DE
Description	SE/RD 283
Description 2	1597' SW/RT 1
Description 3	
Land Code	

polygonLayer

Override 1

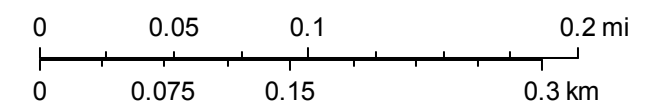
polygonLayer

Override 1

Tax Parcels

Streets

1:4,514





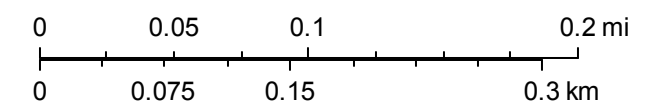
Sussex County



PIN:	334-12.00-55.01
Owner Name	WARRINGTON SAMUEL C II
Book	3350
Mailing Address	34378 POSTAL LN
City	LEWES
State	DE
Description	SE/RD 283
Description 2	1597' SW/RT 1
Description 3	
Land Code	

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

1:4,514



JAMIE WHITEHOUSE, AICP, MRTPI
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: Chase Phillips, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: September 1, 2020
RE: Staff Analysis for CU 2237 Samuel C. Warrington II

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2237 Samuel C. Warrington II to be reviewed during the September 24, 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 Tax Parcel 334-12.00-55.01 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District for outdoor boat and RV storage. The parcel is located on the southeast side of Postal Lane in Lewes, Delaware. The size of the property is approximately 40 acres +/-, and approximately 2.5 acres is proposed to be allocated towards the boat and RV storage use.

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 a Coastal Area designation. The adjacent properties in each direction are also a part of the Coastal Area.

The Coastal Area is designated to encourage growth and development without diminishing special ecological and environmental characteristics. The Coastal Area may include various types of housing, small-scale retail and office, light commercial, and institutional land uses. Sussex County's base density of two (2) units per acre is typically standard. Medium and higher densities (4-12 units per acre may be appropriate in selection locations.

This parcel is within an Agricultural Residential (AR-1) Zoning District. The adjacent parcels to the north and west and southwest are also zoned Agricultural Residential (AR-1). The adjacent parcel to the northeast is zoned Medium Density Residential (MR). The parcel to the south is zoned High Density Residential (HR-1).

Since 2011, there have been seven (7) Conditional Use applications in a one-mile radius. Conditional Use 2209, to allow for a 14-unit multifamily development, was denied by County Council on July 28, 2020. Conditional Use 2153, to allow for a real estate and investing office, was approved by County Council on February 5, 2019 and adopted through Ordinance No. 2630. Conditional Use 2073, to allow for an expansion of an existing electrical substation, was approved by County Council on March 7, 2017 and adopted through Ordinance No. 2486. Conditional Use 2059, to allow for a beauty salon, was approved by County Council on October 25, 2016 and adopted through Ordinance No. 2478. Conditional Use 2016, to allow for an elementary school,



was approved by County Council on June 16, 2015 and adopted through Ordinance No. 2402. Conditional Use 2015, to allow for a public service facility, was approved by County Council on June 16, 2015 and adopted through Ordinance No. 2401. Conditional Use 1938, to allow for a therapist's office, was approved by County Council on September 11, 2012 and adopted through Ordinance No. 2289.

Land use and zoning have been analyzed for both this subject site and other nearby properties. A Conditional Use to allow for the outdoor storage of boats and RVs, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: 202008207
C/U 2237

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

34378 Postal Lane, Lewes, DE 19958

Type of Conditional Use Requested:

RV and Boat Storage

Tax Map #: 334-12.00-55.01/682

Size of Parcel(s): 40 acres 2.5 acres

Current Zoning: AR

Proposed Zoning: C/U

Size of Building: n/a

Land Use Classification: Coastal

Water Provider: well

Sewer Provider: Septic

Applicant Information

Applicant Name: Sam Warrington II

Applicant Address: 34378 Postal Lane

City: Lewes

State: DE

Zip Code: 19958

Phone #: 302 858 7184

E-mail:

Owner Information

Owner Name: same

Owner Address:

City: _____ **State:** _____ **Zip Code:** _____

Phone #: _____ **E-mail:** _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Tim Willard

Agent/Attorney/Engineer Address: 26 The Circle

City: Georgetown

State: DE

Zip Code: 19947

Phone #: 302 856 7777

E-mail: tim@fwsslaw.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



Date: 7-17-20

Signature of Owner

Date: _____

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: _____



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

JENNIFER COHAN
SECRETARY

July 8, 2020

Mr. Jamie Whitehouse, 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 Sam “Cody” Warrington III conditional use application, which we received on June 16, 2020. This application is for an approximately 40.62-acre parcel (Tax Parcel: 334-12.00-55.01). The subject land is located on the south side of Postal Lane (Sussex Road 283), approximately 2,000 feet southwest of the intersection Delaware Route 1 and Postal Lane. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to utilize the facility for boat and RV storage.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Postal Lane where the subject land is located are 9,812 and 12,628 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.

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
July 8, 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
Sam "Cody" Warrington III, Applicant
Todd Sammons, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, Sussex County Review 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
Jamie Whitehouse, AICP, MRTPI
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: 6-16-20

Site Information:

Site Address/Location: 34378 Postal Lane, Lewes DE 19958

Tax Parcel Number: 334-12.00-55.01

Current Zoning: _____

Proposed Zoning: CU

Land Use Classification: Coastal Zone

Proposed Use(s):

CU Boat & RV Storage (see Attached)

Square footage of any proposed buildings or number of units: _____

Applicant Information:

Applicant's Name: Sam "Cody" Warrington III

Applicant's Address: 34378 Postal Lane, Lewes DE
City: Lewes State: DE Zip Code: 19958

Applicant's Phone Number: clo Tim Willard, ATTORNEY 302 856 7777

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

RECEIVED

JUN 16 2020



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

SUSSEX COUNTY
Last updated 3-12-20
PLANNING & ZONING

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/8/2020**

APPLICATION: **CU 2236 Sam C. Warrington II**

APPLICANT: **Sam Warrington II**

FILE NO: **OM-9.04**

TAX MAP &
PARCEL(S): **334-12.00-55.01 (portion of)**

LOCATION: **On the south side of Postal Lane (SCR 238), approximately
0.38 mile southwest of Coastal Highway (SR 1).**

NO. OF UNITS: **RV and Boat Storage**

GROSS
ACREAGE: **2.5 of a total 40.62 AC.**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

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 2**
- (3). Is wastewater capacity available for the project? **Yes** 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 **Christine Fletcher** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**

Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

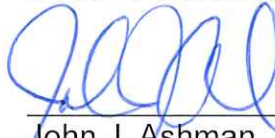
(7). Is project adjacent to the Unified Sewer District? **Yes**

(8). Comments: **The proposed Conditional Use is within the West Rehoboth Planning Area of the Sussex County Unified Sanitary Sewer District. Connection and annexation are required.**

(9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**

(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
Christine Fletcher

Policy for Extending District Boundaries

1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

Application Fees	
Less than 2 acres	\$500.00
2.1 -9.99 acres	\$750.00
10 - 150.00 acres	\$1,500.00
Greater than 150.00 acres	\$2,500.00

4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.

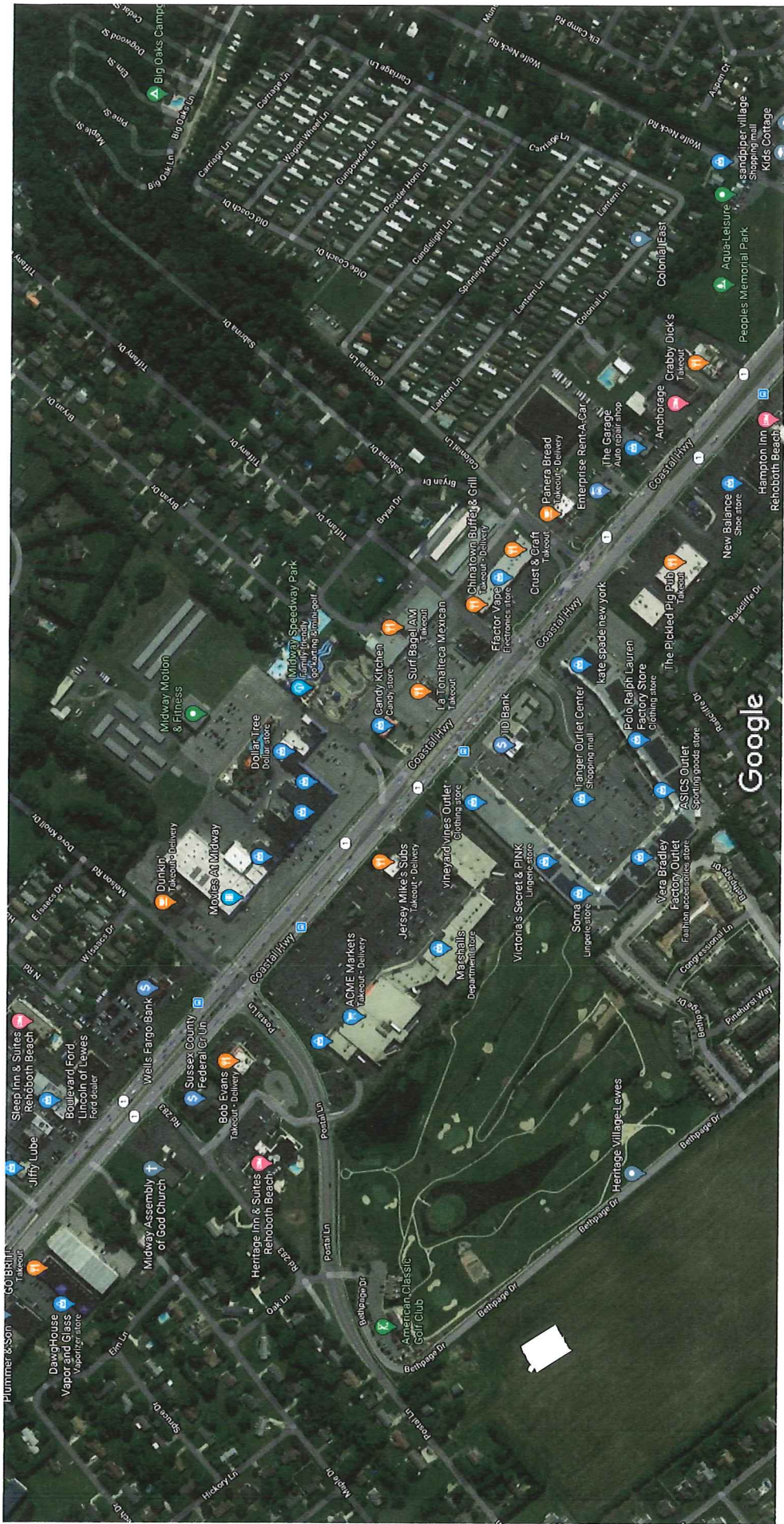
CONDITIONAL USE #2237

FILE COPY

Sam C. Warrington, II

PROPOSED CONDITIONS

1. The property shall be bordered by a 6 foot high wire security fence with landscaped buffer on the outside.
2. There shall only be one secure gated entrance.
3. Lighting shall be inward facing.
4. The property shall be monitored by security cameras.
5. No more than 60 boats or RVs shall be permitted.
6. Hours of operation shall be 6am to 10pm.
7. There shall be one lighted sign at the entrance.
8. The entrance will be subject to the approval of DelDot.
9. The storage area shall be covered with pervious stabilizing material.
10. No hazardous material shall be stored on the property.
11. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.



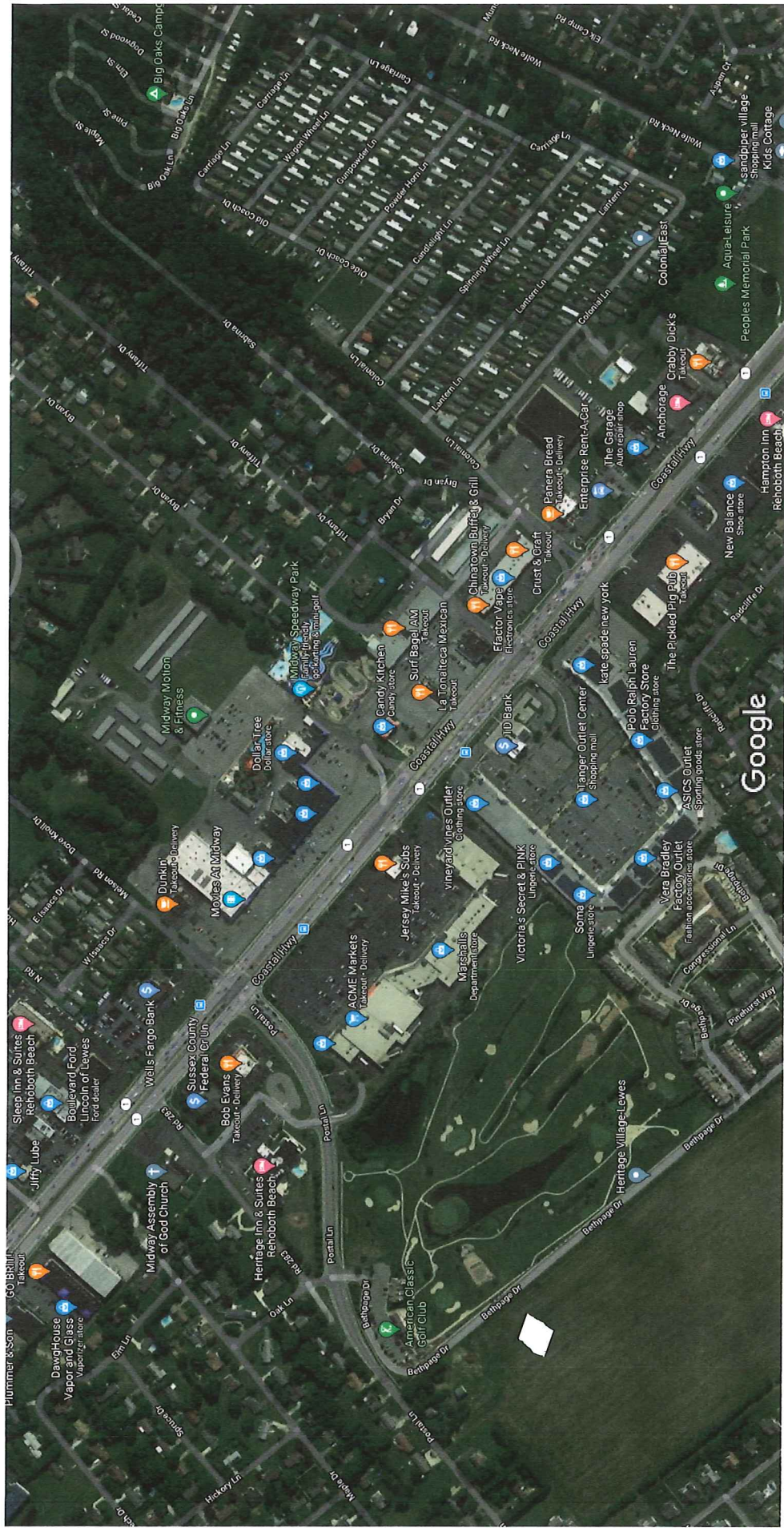
Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 Google 200 ft

CONDITIONAL USE #2237

Sam C. Warrington, II

PROPOSED FINDINGS

1. This is an application for a Conditional use for an outdoor boat and RV storage 2.5 acre area located on lands southeast of Postal Lane, approximately .38 miles southwest of Coastal Highway.
2. Under the Sussex County Comprehensive Plan Update Future Land Use Map, the site is located in the Coastal Area which is a growth and development area. These areas are should include light commercial uses.
3. The site is appropriately located for the proposed development which is consistent with the purposes and goals of the Sussex County Comprehensive Plan Update since it (a) promotes economic development; (b) promotes tourism; and (c) is consistent with the land use, area zonin and surrounding uses.
4. The proposed Conditional Use with the conditions imposed by the Sussex County Council will not have any adverse affect on the uses or values of area properties, will contribute to the convenience and welfare of the county and its residents and is consistent with the purposes and goals of the Sussex County Zoning Ordinance and Comprehensive Plan Update.



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 Google 200 ft

Chase Phillips

From: Bill Hamilton <billmhamilton@comcast.net>
Sent: Friday, September 18, 2020 10:53 AM
To: Chase Phillips
Subject: Conditional Use 2237, Applicant: Samuel Warrington
Attachments: PZ 07-09-2020 Final.pdf

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Mr. Philips,

Thank you for sharing additional information on our neighbors Conditional Use 2237 application. I recently received your county notice advising of the 9/24/20 Sussex County Planning and Zoning public hearing for Applicant Samuel Warrington, Conditional Use 2237. Mr. Warrington desires to convert 2.5 acres, of his 40 acre farm, into a storage facility for RVs, boats and trailers. I am thirteen year homeowner in the abutting Heritage Village townhome community.

I am vehemently opposed to this application. Should this application be granted, our local traffic will change significantly. As you may well know, Postal Lane traffic has increased substantially in recent years. This proposed business venture will bring commercial trucks, tractors, trailers, RVs and boats into our backyard with these tractors and trailers continually come in and out of the storage lot onto our two lane roadway. Postal Lane is one way in each direction with no sidewalks on either side and, I suspect, not designed for such heavy commercial traffic; it is relatively narrow in the proposed entrance area. In addition, I suspect this commercial enterprise will likely invite increased criminal activity under the heading of theft and vandalism that could spill over into our abutting residential communities. This is a residential area including Heritage Village, comprised of 146 townhomes as well the mature Sandy Brae community with many single family homes. Sticking a 2.5 acre storage lot full of boats, trailers and RVs in the middle of our residential communities just does not make sense to me; this enterprise is better situated on our commercial Route One or similar location. On a Heritage Village personal note, it is little doubt this commercial enterprise will adversely financially impact real estate values of our 146 homeowners.

In addition, please recall your Planning and Zoning team denied a rezoning request, CZ1907 and CU2209, by developer, Matthew Hete, just this past summer to build 14 townhomes at 34360 Postal Lane. This property is a neighbor of the applicant, Samuel Warrington, 34378 Postal Lane. Attached are the minutes of that hearing reflecting the Hete 5-0 denial; they appear on page three. In reviewing the minutes, the following verbiage stuck out to me, "For the reasons stated, the proposed rezoning does not promote the overall health, safety, convenience and general welfare of the neighborhood or the County". May I suggest Mr. Warrington's commercial venture enterprise is much more egregious to our residential community than Mr. Hete's proposed 14 townhomes.

Lastly, one final observation. I understand that one acre is just a little smaller than a football field; just imagine two and half football fields full of boats, RVs and trailers in the middle of a residential community. This proposed commercial venture could remind one of driving up Route One by Dover Downs, looking to the left when we are hosting a NASCAR event. I believe this type commercial enterprise does not belong in the middle of a residential neighborhood.

It is respectfully requested Mr. Warrington's application be denied.

Respectfully Submitted,

**Opposition
Exhibit**

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Friday, September 18, 2020 10:34 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Friday, September 18, 2020 - 10:34am

Name: mary
Email address: stckchat@prodigy.com
Phone number: 3026447163
Subject: case #CU2237
Message: Gentleperson: Resident of Sandy Brae and I hope u VOTE NO for a storage facility on Postal Road. Thank u for reading this email.

**Opposition
Exhibit**

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Tony Romano <tonyromano55@gmail.com>
Sent: Friday, September 18, 2020 10:13 AM
To: Chase Phillips
Subject: Rv and boat storage

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

This is in regards to the proposed application for a Rv and boat storage facility on 2 acres next to my home in Heritage Village. This is a terrible idea not only for the value of our homes but also the traffic and safety implications. The exit for our complex is on a curve in the road and is already a little bit dangerous. I hope that you do not let this proposed application pass for the good of all the neighboring communities as well as ours. Thank you for your time.

Opposition
Exhibit

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Rybaltowski, Mark A:(PHI) <mark.rybaltowski@pepcoholdings.com>
Sent: Friday, September 18, 2020 10:30 AM
To: Chase Phillips
Subject: Against Proposal for Fenced in Storage Facility for RV's, boats and trailers off of Postal Lane/Heritage Village

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Good Morning Mr. Phillips,

It has been brought to our attention that our farmer neighbor next to the Heritage Village Community is seeking approval for a 2.5 acre fenced in storage facility for RV's, boats and trailers. Our household, along with our neighbors, adamantly oppose such a request for many obvious reasons, one of the biggest reasons being traffic in and out of the storage lot off Postal Lane (Postal Lane already has become a very high traffic area with aggressive drivers using Postal Lane as a shortcut from and to Route 1, not to mention a direct route to neighboring Acme/Pelican Square which is quite congested even off season/middle of week). This huge **commercial** venture does not belong directly in the center of **three residential neighborhoods**, where there would be major safety concerns (i.e. large vehicles making wide turns with many walkers and dog walkers that walk Bethpage Drive and Postal Lane), possible vandalism and theft, possible further expansion of this business in the future etc. Another big concern for us includes the potential adverse impact to our real estate values. I can only imagine how many may decide to sell their home here should such a proposal be approved, us included. What attracted us to purchasing this home was the quiet and peace that surrounds the community i.e. corn field and golf course.

Thank you for your time and consideration of this very serious matter to members of Heritage Village, Sandy Brae and surrounding family communities.

Mark and Erin Rybaltowski (18851 Bethpage Drive, Heritage Village)

This Email message and any attachment may contain information that is proprietary, legally privileged, confidential and/or subject to copyright belonging to Exelon Corporation or its affiliates ("Exelon"). This Email is intended solely for the use of the person(s) to which it is addressed. If you are not an intended recipient, or the employee or agent responsible for delivery of this Email to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this Email is strictly prohibited. If you have received this message in error, please immediately notify the sender and permanently delete this Email and any copies. Exelon policies expressly prohibit employees from making defamatory or offensive statements and infringing any copyright or any other legal right by Email communication. Exelon will not accept any liability in respect of such communications. -EXCIP

Opposition
Exhibit

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, September 17, 2020 5:22 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, September 17, 2020 - 5:22pm

Name: John McCann
Email address: randhjack@aol.com
Phone number: 215-260-9537
Subject: Boat Stg/RV Stg On Postal Lane

Message:

I am adamantly opposed to approval for the use of the property on Postal Lane for the intended use. The present traffic is bad enough on the off season due to the growth of new housing , it will amplify the problem if approved.
It is a bear now to exit Sandy Brae-be it Plantations Road and Postal Lane.
Is it PROFIT BEFORE PEOPLE , sure looks that way.
To me simple reasoning says:"Store your boat near a body of water for easy access to put the boat into the water".
As for RV storage, anyone fortunate to own one should have thought it thru as to where they could keep it on their property and not push the need to another location.
Traffic problems are a paramount situation that is only getting worse due to population growth and approving this request adds insult to injury.
Excuse me for being so long in expressing my and my wife's views on this matter but PLEASE do not approve this request.
Thank you taking the time to read my concerns.
PS.Would note the request # but cannot remember it.

**Opposition
Exhibit**

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, September 17, 2020 12:17 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, September 17, 2020 - 12:16pm

Name: Janis Nezvesky-Schertzer
Email address: janis.nezvesky@gmail.com
Phone number: 2034821641
Subject: CU2237

Message: As a property owner in the Sandy Brae subdivision, I am against the building of an RV/ storage dmfacility being built on Postal Lane. p We want to keep Postal Lane protected for our children who get on/off the school buses at our Maple Drive entrance, as well as maintain a safe street for the Sandy Brae residents living on Postal Lane to enter and exit their homes. This is a residential area, it is zoned that way, and we want to keep it that way. A commercial business on Postal Lane is simply a grave danger to residents and motorists that use that very busy east west connector road.
Respectfully yours, Janis and Martin Schertzer

**Opposition
Exhibit**

RECEIVED

SEP 17 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, September 17, 2020 6:07 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, September 17, 2020 - 6:06pm

Name: Helena Hannah
Email address: zaphod131@gmail.com
Phone number: 443-286-4885
Subject: Case #CU2237

Message:

We are residents of Sandy Brae and request that you vote no to Case#CU2237 allowing the owner to use his property as an RV and Boat Storage business. We need to keep Postal Lane a safe and residential street so that residents and children on school buses can safely enter and leave our community. Please keep this residential zone residential and not allow commercial business on this very busy road.

Thank you,
Helena Hannah

Opposition
Exhibit

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, September 17, 2020 12:17 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, September 17, 2020 - 12:16pm

Name: Janis Nezvesky-Schertzer
Email address: janis.nezvesky@gmail.com
Phone number: 2034821641
Subject: CU2237

Message: As a property owner in the Sandy Brae subdivision, I am against the building of an RV/ storage dmfacility being built on Postal Lane. p We want to keep Postal Lane protected for our children who get on/off the school buses at our Maple Drive entrance, as well as maintain a safe street for the Sandy Brae residents living on Postal Lane to enter and exit their homes. This is a residential area, it is zoned that way, and we want to keep it that way. A commercial business on Postal Lane is simply a grave danger to residents and motorists that use that very busy east west connector road.
Respectfully yours, Janis and Martin Schertzer

Opposition
Exhibit

RECEIVED

SEP 17 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 3:23 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 3:23pm

Name: Nancy Sparklin

Email address: ncsparklin@comcast.net

Phone number: 6103686080

Subject: Case CU2237

Message: I vote no to case CU2237. Postal Road is a residential area and we want to keep it that way to ensure the safety of our residents and children. It is a busy connective road that cannot be safe for additional traffic that a business will cause.

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 3:19 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 3:18pm

Name: Jocelyn Kaplan
Email address: jocelynkaplan@gmail.com
Phone number: 7038871128
Subject: Postal road RV and boat storage
Message:

I am a resident of Sandy Brae and I want you to vote no for Case # CU2237. This is a residential neighborhood. Why would you allow a RV and boat storage to be built here?

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 3:43 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 3:42pm

Name: John Luzzi
Email address: jaluzzi@aol.com
Phone number: 9086351778
Subject: Case CU 2237

Message:

I am writing to express my concern over a proposed storage business on postal Road in Lewes Delaware. This is a residential area and a storage center of that nature would be unsafe and atrocity to our neighborhood. We cannot have something of this nature in a residential area, we need to protect our children who get off school buses on the proposed Maple Drive entrance. Again this is a residential area and it is zone that way. A commercial business I'll post a lame is simply a grave danger to residence Inn motorist on already busy road..

Thank you for your consideration.

**Opposition
Exhibit**

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, September 16, 2020 10:26 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, September 16, 2020 - 10:25am

Name: Loretta L. Downes
Email address: ldownes13@yahoo.com
Phone number: 302-645-8387
Subject: cu2237 Postal Lane Sandy Brae Lewes, De

Message:

I am a resident of Sandy Brae and I want to vote NO for case cu2237 . Traffic is already heavy on Postal Lane most of the year, not just summer (that's bad enough) Sandy Brae is a great place to live, especially for Seniors like me. I feel safe & secure here, so please don't ruin something so nice. Protect our land for homes & nice houses.

Thank you for your consideration & decision to keep the area so great! Loretta L Downes

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, September 16, 2020 10:32 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, September 16, 2020 - 10:32am

Name: Frederick W Chase

Email address: mauchase@aol.com

Phone number: 3022452448

Subject: Case # CU2237 vote NO

Message: I am a resident of Sandy Brae in Lewes and am concerned that this project will add excess traffic (including large, overweight vehicles) to a zoned residential area. Traffic already regularly exceeds posted speed limits and there is a school bus stop directly across from the site. Please vote NO for Case # CU2237

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, September 16, 2020 10:35 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, September 16, 2020 - 10:35am

Name: Larry M. Baker

Email address: laurentbaker@aol.com

Phone number: 3022452448

Subject: Case # CU2237 vote NO

Message: Please vote NO on Case # CU2237. Postal Lane services a zoned residential area. The above project will add large vehicles at a location that contains a school bus stop and already experiences excessive speeding.

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, September 16, 2020 11:56 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, September 16, 2020 - 11:56am

Name: Carol Cunnéen
Email address: ccunneen6@gmail.com
Phone number: 6073511606
Subject: CU2237

Message:

I am a resident of Sandy Brae and I live on Postal Ln directly across from this property. I am against allowing a commercial business in our residential area. This is already a very busy street as it is a major cut through from Coastal Highway to Plantation Road. It is unable to be widened because of electric and gas lines. Buses from three different schools pickup and drop off students and it already isn't safe. To add an entrance and exit to a commercial business would increase the danger. I respectfully ask you to vote NO on this permit request.
Thank you for your time.

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, September 16, 2020 1:53 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, September 16, 2020 - 1:52pm

Name: Lorie B Seaman
Email address: lbseam@comcast.net
Phone number: 732718526
Subject: Case # CU2237

Message:

My name is Lorie Seaman and I am a resident in the Sandy Brae development . I am asking you to vote NO for Case # CU2237. Please do NOT give the owners conditional use of the property for an RV and Boat Storage business. We need to keep Postal Lane a safe and residential street, protect our children who get on/off the school buses at our Maple Drive entrance, as well as maintain a safe street for the Sandy Brae residents living on Postal Lane to enter and exit their homes. This is a residential area, it is zoned that way, and we should keep it residential. A commercial business on Postal Lane is simply a grave danger to residents and motorists that use that very busy east west connector road.

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, September 16, 2020 2:09 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, September 16, 2020 - 2:08pm

Name: Judith Henry

Email address: j.j.henry@comcast.net

Phone number: 3027451173

Subject: Case#CU2237

Message: I am a resident of Sandy Brae and am asking you to vote no on Case# CU2237. This would increase traffic in an already densely travelled area. Thank you.

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, September 16, 2020 5:01 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, September 16, 2020 - 5:01pm

Name: Bertie delcampo
Email address: bertiedelcampo@yahoo.com
Phone number: 3026685070
Subject: Case # cu2237
Message: I am a resident of Sandy brae and I vote no for case # cu2237

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, September 16, 2020 5:08 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, September 16, 2020 - 5:08pm

Name: Robert Delcampo
Email address: robdelcamposr@yahoo.com
Phone number: 3026684071
Subject: Case #cu2237
Message: I am a resident of Sandy Brae and would like you to vote no for case# cu2237

Opposition
Exhibit

RECEIVED

SEP 16 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 2:48 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 2:48pm

Name: Dana Luigard
Email address: dluigard@outlook.com
Phone number: 3027276680
Subject: Case# CU2237 RV & Boat Storage Facility

Message:

Vote NO for case# CU2237

I am a resident in Sandy Brae. I want Postal Lane to remain residential. I do not want an RV & Boat storage facility to be built on the property in question. There is already a traffic problem on Postal Lane. A commercial business will add to the existing traffic problem.

Opposition
Exhibit

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 1:46 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 1:45pm

Name: Andrea & Leonard Long
Email address: luvmygrhnd@hotmail.com
Phone number: 845-206-3550
Subject: Case #CU2237

Message: I am against this project. I am a resident of Sandy Brae and this construction would cause under hardship and hazards to the residents of postal lane, traffic flow and the safety of school children entering and exiting school busses for the residents children on Maple drive especially. This is an unnecessary infringement on the residents and their quality of life. They should not be allowed to erect a storage facility for RVs and boats. This is heavy load traffic as well and will also cause undue damage to the blacktop. Thank You

Opposition
Exhibit

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 12:08 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 12:07pm

Name: Pat Giuliani - EBBK LLC

Email address: patgiuliani2007@hotmail.com Phone number: 302-265-8644

Subject: Case CU2237

Message: I am a Resident of Sandy Brae we want you to please vote NO for case CU2237

Opposition
Exhibit

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 12:03 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 12:03pm

Name: Margaret A Carroll
Email address: Peggy.carroll@nokia.com
Phone number: 908 752-5518
Subject: Case # CU2237

Message: .I am a Sandy Brae resident and would like to encourage you to vote against allowing a RV/Boat storage business to be established on Postal Lane. This is peaceful, residential area and has become home to both retirees and to young families with children. The additional traffic and transient non-resident nature of the people that will be drawn to the area with such a business, is both undesirable and unsafe. Please help our community to maintain it's peace of mind and safety. Thanks for your consideration.

Opposition
Exhibit

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 11:51 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 11:50am

Name: RUTH M Dickerson
Email address: dndbythesea@comcast.net
Phone number: 410-245-4448
Subject: Case #CU2237

Message: I am a resident of the Sandy Brae Community. I have recently become aware of a move to allow conditional use of nearby property for an RV and Boat Storage business. I am concerned that this land use is not appropriate for residential area and that encouraging this type of heavy vehicle traffic on Postal Lane will cause safety issues for drivers, pedestrians, cyclists and homeowners. I also believe this type of traffic will accelerate road surface deterioration and create additional gridlock on what has become a major connector between Route 1 & Plantations Road. Please vote NO on Case #CU2237,

**Opposition
Exhibit**

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 1:19 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 1:19pm

Name: Teressa Hill
Email address: teridenson@hotmail.com
Phone number: 3023960993
Subject: Case # CU2237
Message: I am a resident of Sandy Brae. Vote No for the above case. We need to keep our families and children safe from added traffic.

**Opposition
Exhibit**

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 12:53 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 12:53pm

Name: Kelci Atkins
Email address: kwatkins@udel.edu
Phone number: 3022285417
Subject: Case # CU2237
Message: As a resident of Sandy Brae, I would ask that you please vote NO in reference to the Boat & RV Storage Proposal on Postal Lane, Case # CU2237. Thank you.

**Opposition
Exhibit**

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 10:26 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 10:26am

Name: John Ritchie
Email address: john18441@comcast.net
Phone number: 3019575933
Subject: Case CU2237

Message:

I would like to express my strenuous objection to special use request for the RV and Boat Storage facility on Postal Lane. This is totally out of character and grossly inconsistent with residential Zoning on this property.

John Ritchie
18441 Cedar Dr
Lewes, DE 19958

**Opposition
Exhibit**

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 10:02 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 10:02am

Name: Katherine Helen Davison

Email address: mermaids354@comcast.net

Phone number: 302645793

Subject: Case # CU2237 RV & Boat request on Postal Lane

Message: As a resident of Sandy Brae I am asking you all to vote no on the request for a conditional use to put a RV & Boat Storage business on Postal Lane. This is a residential area and needs to remain that way. Postal Lane is a very busy connector road from route one to plantation road. Adding a business of this kind or any kind will cause serious safety issues for the residents living on Postal Lane. Keep our road and streets safe...deny this request.

Opposition
Exhibit

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 15, 2020 9:44 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 15, 2020 - 9:44am

Name: Donna Pesto
Email address: correspond2u@hotmail.com
Phone number: 7039015595
Subject: C/U 2237

Message:

At the time of this writing, I am unable to find the application materials for this request on line, so I am at a disadvantage in writing this letter of opposition. Regardless, as was noted in a previous application for the property of Mathew Hete locates immediately adjacent to this property, the development of the property as requested in this application is wholly inappropriate at this location. Traffic on Postal Lane currently exceeds the road condition and size. The addition of trucks pulling a trailer, recreational vehicle or a boat, trying to make a very tight turn into this property is guaranteed to further exacerbate the problem. Additionally, Postal Lane isn't wide enough for any such vehicle to pull out of the property without crossing in to on-coming traffic, effectively blocking both lanes. With low hanging trees, close proximity of landscaping, mail boxes and other features to the edge of pavement, Postal Lane cannot support this use.

Further, this property is surrounded by single family residential neighborhoods. An open-air storage yard of vehicles that, in some cases, are as tall or taller than the homes in the vicinity is incompatible.

There couldn't be a worse location for an open-air vehicle storage yard in terms of access, road condition, compatibility with surrounding land uses. I urge you to deny this request, as you did for the adjacent 14 unit townhouse development, and for the same reasons. Without access to the application materials, I'm left to guess that the 2.5 acre storage yard is somewhere within the existing cornfield. I may have additional objections once the materials are posted on line for the public to review. However, I believe that single family homes consistent with the density and scale of surrounding properties is the most appropriate use of this property.

Thank you for your consideration of these concerns

Opposition
Exhibit

RECEIVED

SEP 15 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: GLENN SUBERS <glennsubers@comcast.net>
Sent: Wednesday, September 23, 2020 4:49 PM
To: Chase Phillips
Subject: Counsel mtg - Sept. 24th

RECEIVED

SEP 23 2020

SUSSEX COUNTY
PLANNING & ZONING

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Mr. Phillips,

I am writing to you in regards to the Sussex County Planning and Zoning Committee hearing scheduled for tomorrow, Thurs., Sept. 24th and the planned agenda item of the proposed storage facility being presented off Postal Lane in Lewes, DE. I am currently a new owner/resident at Heritage Village and am very upset to hear that a proposal for a large scale storage/TV/boat/trailer facility is on the agenda for tomorrows meeting. I apologize for the lateness of this email but as a very new resident of Heritage Village, I am just receiving word on this as of last night and felt the need to write before this meeting was held.

In purchasing my property, I understand that being next to a farm in a resort area such as this opened up the opportunity for housing builders to possibly build a housing development/townhomes and/or condos in the future as it IS zoned for residential/agricultural development. That possibility certainly is a potential reality given the nature of the area being located in a prime and beautiful residential location in Lewes. But hearing the nature of this proposal to change the zoning to commercial for such a industrial type project and development is truly unfathonable.

The purposed site, as I'm sure you are aware, is surrounded by 3 different residential family neighborhoods and the American Classic Golf course. This is a beautiful area enjoyed by families year round and such a proposal would be devastating to all who have homes and reside in this area. It is an area not only beautiful but safe. There are several children's school bus stops that line Postal Lane and such a facility would be dangerous for our children as well. I have a 13 year old so I am certainly a concerned parent in that regard as I'm sure many other residents are. It is a location that kids and adults ride bikes, people take their dog for walks and you'll see joggers up and down the streets exercising throughout the day not to mention the beautiful golf course that so may people enjoy throughout the year.

All of these qualities certainly drew me to purchase my townhome and I look forward to many years of enjoyment as a resident of Heritage Village. A facility such as this proposed storage unit complex would be an absolute nightmare scenario for all the residents calling this area their home. Possible crime, decreased home values, additional dangerous traffic including large vehicles towing RV's and boats, and the overall "commercial and industrial" nature of a facility such as this is certainly upsetting to say the least and all factors on why it is absolutely necessary to decline any further consideration and/or approval of such a facility and zoning change.

In addition, this kind of site requires commercial parking lot type "flood lighting" to illuminate a facility such as this which would create a devastating illumination throughout the night-time hours for all the surrounding neighborhoods and homes and the whole area in general. Postal Lane itself is also a one lane street and does not warrant the additional traffic for trucks and oversized vehicles towing RV's and boats that such a facility would open up to the area.

For all these reasons and general common sense on what is right for the area and families who reside here, it is obvious why such a plan and changes in the zoning of this parcel of land is NOT suitable for this piece of property and should not be allowed to proceed any further in the application and/or approval process. I am appealing, as I am sure all the residences of Heritage Village and the surrounding neighborhoods are, to you and the Sussex County Planning and Zoning committee and let this proposal die and not proceed any further. Thank you and the committee for your

consideration and time in this matter.

Regards -

Glenn Subers
Heritage Village (homeowner)
Lewes, DE

Jennifer Norwood

From: Bill Hamilton <billmhamilton@comcast.net>
Sent: Wednesday, September 23, 2020 2:02 PM
To: Jennifer Norwood
Subject: RE: Conditional Use 2237

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Jennifer,

Yes, our community has been emailing their thoughts to Mr. Phillips so they can become part of the official record. Our HOA board president will be addressing your committee Thursday night. A commercial storage lot for RVs, trailer and boats on two and half football fields in our residential community does struck me as bizarre. Simply, Postal Lane is two narrow lanes, one in each direction, with no shoulder or sidewalks. Said another way, actual traveled road abuts the front lawns of the residents who live on Postal Lane. There is no way for tractor trailer type vehicles can safely exit or enter the proposed storage lot without occupying both lanes as the turn is being made.

Bill Hamilton

From: Jennifer Norwood <jnorwood@sussexcountyde.gov>
Sent: Wednesday, September 23, 2020 1:44 PM
To: Bill Hamilton <billmhamilton@comcast.net>
Subject: RE: Conditional Use 2237

Mr. Hamilton,

I understand you have been in contact with Chase Phillips and he has been receiving emails regarding this application.

Jennifer Norwood

Planner 1
Planning & Zoning Dept.
Sussex County Government
PO Box 417
2 The Circle
Georgetown, DE 19947
302-858-5501
jnorwood@sussexcountyde.gov

From: Bill Hamilton <billmhamilton@comcast.net>
Sent: Thursday, September 17, 2020 10:25 AM
To: Jennifer Norwood <jnorwood@sussexcountyde.gov>
Subject: FW: Conditional Use 2237

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Jennifer,

I do have a couple of additional questions for you. The news of this hearing is circulating and our community will have several homeowners attending. Several asked if it was OK send a letter or email advising your committee of their concerns. Couple of easy questions:

- Is this application assigned to an individual Planner who should receive our community communications?
- Email address of the assigned Planner?
- Are emails or written letters a preferred?
- I checked the below link you sent me for additional information but no new information appears?

Your guidance on the above will be appreciated.

Thank You,
Bill Hamilton, Secretary
Heritage Village Board of Directors

From: Jennifer Norwood <jnorwood@sussexcountyde.gov>
Sent: Friday, September 11, 2020 1:08 PM
To: billmhamilton@comcast.net
Subject: Conditional Use 2237

Mr. Hamilton,

I have attached a copy of the application and the plan that shows the area that is planned for the proposed RV & Boat Storage. As I stated on the phone please follow the date of the meeting on our website for further updates. The link below will take you the website meeting date. There will be an agenda and a packet posted by the end of business day on September 17, 2020 for your review. The last page of the agenda will have instructions on how to participate during the hearing by telephone if desired, you can also choose to attend the hearing or submit your concerns in writing prior to the date of the public hearing.

<https://sussexcountyde.gov/planning-zoning-meeting-1502>

Please feel free to reach out with any additional questions or concerns. If I am unavailable please call the main office line for assistance at 302-855-7878.

Best,
Jenny

Jennifer Norwood

Planner 1
Planning & Zoning Dept.
Sussex County Government
PO Box 417
2 The Circle
Georgetown, DE 19947
302-858-5501
jnorwood@sussexcountyde.gov



September 21, 2020

Sussex County Planning & Zoning Department
County Administrative Office
Building 2
The Circle
Georgetown, DE 19947

RE: Application C/U 2237 Samuel C. Warrington II / Tap Map ID# 334-12.00-55.01

To Whom it May Concern:

Please accept this letter as a formal request to deny this application. This is not a good location for a boat storage facility and it will look awful and should not be approved.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G. Fannin".

Michael G. Fannin
President/CEO

Opposition
Exhibit
RECEIVED
SEP 23 2020
SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 22, 2020 11:18 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 22, 2020 - 11:17am

Name: Catherine Haney
Email address: cwizsell@verizon.net
Phone number: 703-505-5903
Subject: Request C/U 2237 Samuel C Warrington II

Message:

I live in Aydelotte Estates and Postal Lane is at the back of my property. I do oppose this request, C/U 2237, Samuel Worthington II, due to the volume of traffic already on Postal Lane, a two lane road without sidewalks, and the inability of large vehicles to turn into this property with trailers, boats and RVs. Thank you, Catherine Haney 34704 Michelle Drive, Rehoboth Beach, DE 19971

Opposition
Exhibit

RECEIVED

SEP 23 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 22, 2020 11:18 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 22, 2020 - 11:17am

Name: Catherine Haney
Email address: cwizsell@verizon.net
Phone number: 703-505-5903
Subject: Request C/U 2237 Samuel C Warrington II

Message:

I live in Aydelotte Estates and Postal Lane is at the back of my property. I do oppose this request, C/U 2237, Samuel Worthington II, due to the volume of traffic already on Postal Lane, a two lane road without sidewalks, and the inability of large vehicles to turn into this property with trailers, boats and RVs. Thank you, Catherine Haney 34704 Michelle Drive, Rehoboth Beach, DE 19971

Opposition
Exhibit

RECEIVED

SEP 23 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Nathan Hamadeh <hamanassmd@yahoo.com>
Sent: Wednesday, September 23, 2020 10:25 AM
To: HRVBOD.ronscala@gmail.com
Cc: Chase Phillips; Chris Co
Subject: RV and boat project next to heritage Village

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear court members,

I'm writing this email to draw your attention to block and refuse any application or request to pass this dangerous project to turn the agricultural space next to our community at Heritage Village in Lewes, DE into RV and boat storage space.

1) this is a peaceful and family community and it is wrong to include a commercial business of that nature along the long entrance of our community.

We pride ourselves that our community is tucked away from the Main Street where families can walk along the golf course, exercise, and walk their dogs, especially in Corona time when this becomes a public health issue. People are hesitant to go to gyms or participate in sports that requires big gatherings to follow the guidelines from our governor and avoid our COVID numbers to go up, especially at the beach area since we have visitors from all over and also aging population that decides to reiterate at the beach. This project will increase the rate of obesity and anxiety/ depression and possible death in our community.

2) it's a public safety issue . Boats and RVs will be parked right next to our homes and we have kids playing outside. The driveway is narrow to start with and if any accident happens there, I'm afraid this will open the door for litigation as to why this was approved to start with.

3) this will block the residents from reaching their homes. The what would be the entrance to this project will block the flow of the car of the residents coming in to the community and also will highly increase the risk of accidents happening there, deeming this project highly inappropriate for this location, especially in high season.

4) not to mention the noise and pollution that this would cause and that would disturb residents and also the golf course goes for sure and this will affect that which is crucial to our community and is one of the main reasons why we picked our home here.

Please please, make the right decision here and decline this application for all these reasons above and much more I'm sure that will be brought up by our family here at Heritage village.

Thank you in advance and be safe.

Nathan Cofrancisco, MD
18776 Bethpage Drive
Lewes, DE 19958

Opposition
Exhibit

RECEIVED

SEP 23 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Wendy Lutz-Terry <wendy.lutz-terry@pennmanor.net>
Sent: Tuesday, September 22, 2020 6:00 PM
To: Chase Phillips
Subject: RV and Boat Storage

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Mr. Phillips,

I am writing to adamantly oppose the proposed zoning change which would allow for a fenced-in storage facility of RV's, boats and trailers abutting Bethpage Drive.

I do not feel this commercial venture belongs in the center of three residential neighborhoods. Large vehicles pulling in and out of the proposed entrance on Postal Lane will make an already narrow and busy street even busier. Those who like to ride bikes, exercise, or walk their dog may not feel as comfortable doing so with these oversized vehicles sharing the road. Turning onto Postal Lane can already be a challenge. Residents don't need RV's and boats further congesting this area as drivers attempt to make a turn onto a road already filled with cars from nearby restaurants and the shopping center.

This residential area is not the place for commercial zoning. Will industrial lighting be used to "safeguard" this area? What kind of signage will be used to advertise this storage facility? Is there going to be a noise increase? Will this attract vandals eager to obtain items left in an RV or to even steal the RV Battery? Would a merge lane need to be created thus placing a burden on taxpayers? Will this set a precedence for others to ask for conditional zoning? Will this zoning change require the 2.5 acres to be paved? Will the renters of this storage area use this space to do maintenance on their vehicles such as changing the oil, tires, freon etc... thus causing some environmental concerns along with increased traffic pollution? Will this area become a dumping place for spare tires and abandoned vehicles?

Please thoughtfully consider the quality of life for the residents in the surrounding communities. One change in zoning can make a big impact on the life of the nearby community. I chose to live in this area because it is safe, peaceful, and family friendly. Please help us keep it this way.

Thank you for your service to our community,

Steve and Wendy Terry
18828 Bethpage Drive
Lewes DE 19958

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: mike forrest <mrfgpark@hotmail.com>
Sent: Tuesday, September 22, 2020 8:37 PM
To: Chase Phillips
Subject: Please Help Save Lewes

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

To: Planning and Zoning Commission
From: Michael R. Forrest, resident Heritage Village
Re: Zoning Change Application for 34378 Postal Lane

This letter is to express my severe objection and concern in changing the zoning from AR to CAU at 34378 Postal Lane. This is an obviously residential area which is surrounded by private residences, a golf course, and a residential road which is already busy with residential and commercial traffic due to its proximity to Route One.

The zoning for CAU should not be granted in the middle of the AR zone. Postal Lane itself is narrow and curvy with its own dangers. There is no light or intersection markings to accommodate the increased commercial traffic, especially that of RVs and boats, as proposed in the zoning application. This road is already dangerous.

Bethpage Drive is a narrow residential and recreational pathway for American Golf Course and Heritage Village. Over 140 homes, as well as the golf course would be impacted and impeded by noise, pollution, commercial traffic, and general nuisance of an unpredictable and "conditional" business. This land can and should be used for AR. When we purchased our home, we were told the owner of the farm did not want to sell to have more homes built on it. This has been offered by more than one builder, and would make more sense while meeting the zoning regulations. I would be in favor of a golf course addition.

Lewes and the beach communities have substantial areas for commercial growth where the zoning is already in place. Why here and why now? What precedence does this set for changing the zoning in other residential areas? How long will this conditional use be needed or followed? Who is to say a business such as a storage facility would not be abandoned in a few years to leave an unsightly paved plot of litter and other problems?

Heritage Village, as well as Sandy Brae and other Postal Lane/Plantations Road communities, would suffer from the lack of regard for residential zoning laws. There is no room for a turn lane or merging area, and as of now, no traffic light near the proposed business. Who will pay to keep the road maintained with the increase in commercial vehicles? My guess is a facility such as the one proposed would be a financial gain for few, or one, and a major expense and nuisance for the residents of Sussex County. I am concerned about the safety and security of all the people in the neighborhood.

Please consider the motives of this application and reject it on behalf of the residents of Postal Lane neighborhoods, the general Lewes community, and the taxpayers of Sussex County.

Respectfully,

Michael R. Forrest
18801 Bethpage DR
Lewes, DE 19958

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 22, 2020 11:18 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 22, 2020 - 11:17am

Name: Catherine Haney
Email address: cwizsell@verizon.net
Phone number: 703-505-5903
Subject: Request C/U 2237 Samuel C Warrington II

Message:

I live in Aydelotte Estates and Postal Lane is at the back of my property. I do oppose this request, C/U 2237, Samuel Worthington II, due to the volume of traffic already on Postal Lane, a two lane road without sidewalks, and the inability of large vehicles to turn into this property with trailers, boats and RVs. Thank you, Catherine Haney 34704 Michelle Drive, Rehoboth Beach, DE 19971

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Maureen McCollom <mccollommaureen@gmail.com>
Sent: Tuesday, September 22, 2020 10:20 AM
To: Chase Phillips; Ron Scala
Subject: Proposed boatyard on Postal Road

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Mr. Phillips,

As a homeowner in Heritage village I am greatly concerned about having a boatyard next to my property. The neighborhoods along Postal Road are quiet and well kept. It is currently a very nice area. I can't understand why an unsightly business venture among neighborhood subdivisions would be approved by Sussex County.

In the 10 years we have owned property in Heritage Village the traffic along Postal Road has become quite heavy during the summer and even off season. I think trucks with boat trailers trying to pull out on Postal Road are going to cause accidents. Has there been a traffic study recently? Who is going to pay for the road work that needs to be done and the potential for another traffic light on Postal Road? I certainly hope my tax dollars will not be going to that cause.

Lastly, why is there consideration for a boat yard that is completely landlocked and not within miles of any water to be placed in a residential area? Sussex County is large, there is plenty of other land to construct this monstrosity where it will not inconvenience the residents of Sussex County.

Thank you for your consideration in reading this email and not allowing the boatyard to be approved.

Maureen McCollom
34845 Pinehurst Way
Heritage Village

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

September 16, 2020

Sussex County Planning and Zoning Commission
Attn: Director Jamie Whitehouse
2 The Circle
P.O. Box 417
Georgetown, Delaware 19947

Dear Director Whitehouse,

I recently became aware of an application (CU2237?) by a Mr. Samuel C. Warrington II requesting to use a portion of agricultural property on Postal Lane in Lewes as RV and boat storage. When I very recently heard of the application I became concerned of the ramifications of such a facility in that area. As you know, that area is presently agricultural and abuts residential and recreational areas. Postal Lane already has a significant traffic problem between the subject property and Coastal Highway, especially in the warmer months. With Lewes and Rehoboth Beach areas becoming more populated, and the year-round influx of visitors, I worry about the effects of adding another source of large vehicles to the area. Postal Lane is quite narrow at that point and is likely to present a traffic flow problem with large vehicles and trailers attempting to enter the site.

Beyond the traffic concern, I believe there is a substantial quality of life risk incurred by the types of vehicles to be stored. Consider the amount of noise. RV's and boats tend to be large, like trucks, spew exhaust, and leak fluids. Boats tend to not have mufflers; likewise, with many RV generators. As a past boat owner I can attest to fluid leaks regardless of the amount of service one gets. I have been to RV campgrounds and couldn't help but see the engine oil deposits at the sites. Paving the property permits leaked fluids to pollute the surface, run-off to the surrounding area, and create a potential fire hazard.

Boats, RV's and trailers will become eyesores irrespective of the height and style of any fencing as well a buffer. While I am not privy to the entire site plan, I suspect there will be some type of building that would offer maintenance and mechanical services that would further exacerbate the noise and leakage of oil and other vehicle fluids. No doubt it would also increase the volume of traffic through the Postal Lane area should it become a garage facility open to non-storage vehicles.

There are already existing vehicle storage facilities in the area. To approve this application will likely set a precedent for further non-residential and non-recreational uses of this property as well as other nearby properties. I fear the creation of potential commercial / industrial uses which would further change and degrade the character of the area. Not to be forgotten is the potential for intruders and vandals that would be tempted to break into stored vehicles.

I respectfully request that you deny the application for the reasons stated, as well as being in the best interests of Sandy Brae and Heritage Village residents. Also consider the large number of visitors that use the adjacent golf course as a recreational destination.

Respectfully,
Anthony Finello
18769 Bethpage Drive
Lewes, DE 19958

**Opposition
Exhibit**

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Brad Ebaugh <bradebaugh@comcast.net>
Sent: Tuesday, September 22, 2020 9:41 AM
To: Chase Phillips
Cc: Hector Justiniani
Subject: Proposal for Conditional Use RV Storage near Heritage Village

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I, along with many neighbors, am against the proposed RV storage facility near Heritage Village. I have a motor home stored in such a facility. It is located in an industrial zoned area, no where near residential housing. I would not want my home to be near this facility. My concern is traffic, reduced property value and visual aesthetics. There are other suitable locations for such a facility.
Bradley & Susan Ebaugh
18788 Bethpage Dr
Sent from my iPhone

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, September 22, 2020 8:54 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, September 22, 2020 - 8:54am

Name: Mark & Sandra Clark
Email address: sandee174@comcast.net
Phone number: 4846828657
Subject: Case # CU2237

Message: We are requesting the planning and zoning commission not give the owners conditional use of the property in question for an RV and Boat Storage business. Postal Lane is zoned as a residential area and we would like it to stay that way. Adding a commercial business to Postal Lane would be a danger to our residents in Sandy Brae, our children who get the school bus almost directly across from this property and to all the motorists who travel this very busy east/west connection road. An RV & Boat Storage facility is not in keeping with the residential area. Please vote NO! Thank you.

**Opposition
Exhibit**

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Dave Ashby <dave@ashbyphoto.com>
Sent: Tuesday, September 22, 2020 8:44 AM
To: Chase Phillips
Subject: RV and Boat Storage
Attachments: Screen Shot 2020-09-22 at 8.34.37 AM.png

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Mr. Phillips,

As a homeowner in Heritage Village at 18735 Bethpage Drive, I am concerned about the approval of the approximate 2.5 acres of storage space that is proposed. It will create unwanted and unneeded traffic on an increasingly busy road that can barely handle all the traffic now. I am also concerned about the appearance that may affect our neighborhoods. This area is predominantly residential and our golf course. My understanding is that the large farm field is deeded so that it can never be built on and is part of the reason we chose Heritage Village as our residence.

I respectfully request that you deny the application to allow a storage facility to be built in our neighborhood.

Regards,

Dave Ashby

570-389-1266

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Saturday, September 19, 2020 11:37 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

Categories: Chase

RECIPIENTS: Jamie Whitehouse

Submitted on Saturday, September 19, 2020 - 11:37am

Name: Kim Hoey
Email address: sussexcountyde.gov@aol.com
Phone number: 302-855-7878
Subject: Case # CU2237

Message: I strongly oppose the request to build a RV & Storage Business on Postal Lane, Lewes, DE. This will interfere with traffic flow that is already very congested; affect school children getting on/off buses at entrance to Maple Dr., be an eyesore for houses that will face this large facility and affect the safety of residents living in Sandy Brae.

**Opposition
Exhibit**

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: JEFFREY SANDERS <sanders24@comcast.net>
Sent: Monday, September 21, 2020 7:48 PM
To: Chase Phillips
Subject: Boat & RV Storage facility Postal Lane

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Mr. Chase Phillips
Planner I

Good evening Mr. Phillips,

I am a home owner in Heritage Village. I am writing to you adamantly opposing the approval of the 2.5 acre storage facility being considered off Postal Lane. This is an agriculture residential zoned district that should remain as such.

Future concerns include potential adverse impact on our property values, crime, vandalism and theft associated with these rentals.

These large vehicles will be making wide turns, and affecting dog walkers, bikers and school children waiting for their school bus, and getting dropped off in the midst of this increased traffic and congestion.

Please help us maintain our quality of life and our sense of safety in our community. We currently live in a community where people and activities thrive, please do not take these away from us.

I urge you to deny this request.

Thank you for your consideration.

Regards,

Jeff & Bobbi Sanders

**Opposition
Exhibit**

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Terri Crawford <tcshore24@gmail.com>
Sent: Monday, September 21, 2020 8:03 PM
To: Chase Phillips
Cc: hrvbod.ronscala@gmail.com
Subject: RV & Boat Storage Project

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

We are writing regarding the proposed RV & Boat Storage Project at Postal Lane and oppose this application. We were informed that the owner of the farm next to Heritage Village wants to convert 2.5 acres of his land to a fenced-in storage facility for RVs, boats and trailers.

We are owners of a residence on Bethpage Drive in Heritage Village which is a quiet community. This 2.5 acre lot also sits next to the American Classic Golf course on Bethpage Drive. This storage lot will increase traffic on Postal Lane. Also, it sits where there is a curve in the road at Postal Lane where community owners and visitors at Heritage Village and golf course may not be able to see large vehicles when people are pulling in and out of the proposed lot. Also, as you are probably aware, Postal Lane has increased tremendously in traffic this past year. This is a safety concern for traffic on Postal Lane, our development, residents and pets. Another concern may be the potential adverse impact to our real estate values.

This huge commercial venture does not belong right in the center of three residential neighborhoods. If this property is approved, it may lead to further expansion of this business or additional businesses in the future. Please hear our concerns and oppose this application.

Sincerely,
David and Terri Crawford
18757 Bethpage Drive
Lewes, DE 19958
dpcrawford33@hotmail.com
tcshore24@gmail.com

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

SEP 22 2020

Comments on Proposed RV and Boat Storage Facility
Postal Lane, Lewes, DE

SUSSEX COUNTY
PLANNING & ZONING

Dear Mr. Phillips,

As a homeowner in Heritage Village since 2009, I have strenuous objections to rezoning of the parcel in question and conversion of part of that property to a boat and RV storage area. My serious concerns are based on practical, personal financial, and aesthetic considerations, as follows:

1. Practical--traffic congestion on Postal Lane: over the past 11 years, I have witnessed Postal Lane become transformed from a quiet country road providing access primarily for residents of Heritage Village and Sandy Brae to Route 1 and Plantation Road, to a major thoroughfare for both visitors and residents between the latter two arteries. Indeed, Postal Lane is the ONLY link between these two north-south routes between Shady Lane and Route 24. Over the years, the volume of traffic on Postal Lane expanded to the point that DelDOT re-designed the intersection of Postal Lane and Cedar Grove Roads and installed a much-needed stoplight there. Unfortunately for us local residents, this has only somewhat alleviated traffic congestion on—and access to—Postal Lane. Access for eastbound residents of Heritage Village, nearly at all hours of the day, not to mention during peak traffic hours, is constrained by traffic backups at the intersection of Postal and Route 1 (which often becomes gridlocked during the summer period). This essentially cuts off access for us even to the Pelican Square Shopping Center and the ACME—our local food supplier!

Likewise, access for us wishing to travel westbound on Postal is constrained by backups from the stoplight at Postal and Plantation. In previous years, basically only local residents would use Plantation as a conduit to Route 24 and beyond, on Warrington Road (Rd 275 13A) to Old Landing Road. Over the past five years, however, this alternative route to avoid the year-round congestion on Route 1, coupled with increased residential and non-residential development along Plantation Road, has swelled congestion to the point that Plantation is sometimes backed up all the way from Route 24 to Postal Lane. This, in turn, impedes the traffic flow from Postal Lane onto Plantation, seriously delaying traffic access to Route 24 and the businesses and healthcare facilities east along that road (e.g. Beebe's Walk-In Clinic and other facilities, the Delaware Eye Institute, Wal-Mart, the UPS Store, Royal Farms).

Another consideration about the use of Postal Lane is that, in the bicycle-friendly Lewes-Rehoboth Beach area, there is NO bike lane. Bicyclists, including those who live in or visit Heritage Village, must use Postal Lane for access to or Community. Absent a bike lane, this not only creates more vehicular traffic congestion, it poses major safety risks for bicyclists.

2. Lack of Clarity regarding existence/availability of a DelDOT Transportation Impact Study: Based on information provide to members of the Heritage Community to date, the only ingress/egress into and out of the proposed storage facility would be a "driveway" coming directly off of Postal Lane. At the present time, there appears to be NO provision in the plan for the developer of the project to make any improvements to Postal Lane relating to the frontage of the project to enable the flow of traffic to be unimpeded.

I would note that, in 2013, an RV resort and campground was proposed for a parcel along Cedar Grove Road. Although the proposal was not approved by the Sussex County Council (see

<https://www.capegazette.com/article/council-denies-love-creek-campground/76289>), the developer would have been required to make road improvements to Cedar Grove Road from the campground's frontage, including a 310-foot, left-turn lane into the proposed campground and two 11-foot (or 12-foot) travel lanes and two 5-foot (or 4-foot) shoulders to accommodate large RVs. (See <https://www.capegazette.com/node/48221>).

Given the current configuration of Postal Lane, it is unclear to me how the developer of this project would provide access to the parcel, while simultaneously providing for the safety of reasonable, prudent drivers, as well as bicyclists, pedestrians, and the elderly. As noted above, there are no bike lanes or sidewalks along Postal Lane from the golf course to Plantation Road, nor does there appear to be space to provide for any. In my observation, there ARE bicyclists and pedestrians along that stretch, particularly ones who walk to Pelican Square and return home carrying or using a cart to carry groceries. Most of the land abutting Postal Lane is owned by other homeowners besides the Warringtons, not to mention that there are large, beautiful, decades-old trees that would have to be removed on the Warringtons' side of Postal Lane to provide for any widening of the road. On environmental grounds alone, this should be prohibited.

3. Personal Objections: Impact on Property Value: As noted, my husband and I have been homeowners in Heritage Village since 2009. Our townhouse is located at the back of the development facing the golf course. Over the years, we witnessed the gradual deterioration of the golf course parcel under the previous ownership and then its transformation under the new owners between 2011-2013. The new/present owners maintain the golf course in superb condition. Our property's position facing the golf course and the Warrington parcel, which has been continually farmed, makes for a expansive, unobstructed view with spectacular sunsets. An RV and boat storage facility, surrounded by a fence, would clearly have a negative effect on the aesthetics of our view and concomitantly, on our property value. It is hard to imagine anything more disruptive to the serenity, greenery and beauty of this area than a collection of RVs, boat trailers and boats, surrounded by some kind of fence, parked on that parcel; they simply do not belong next to an immaculately-landscaped residential community and golf course! I understand that you have heard similar objections from other residents of Heritage Village, as well as residents of Sandy Brae.

Please give careful consideration to such objections and decline this proposed project. It would be a blight on a beautiful swath of agricultural land, which is rapidly diminishing in Sussex County because of over-development.

Thank you,

Karen L. Ware
Heritage Village
18878 Bethpage Drive
Lewes, DE 19958-4852

Ware.Karen@ymail.com

001-66-92-968-7074 (temporary cell phone while being stranded in Thailand)

Chase Phillips

RECEIVED

From: Friends <swarow2000@yahoo.com>
Sent: Tuesday, September 22, 2020 2:33 PM
To: Chase Phillips
Cc: HRV-BOD Ron Scala; Admin Team
Subject: Letter opposing converting 2.5 acres of farmland abutting Bethpage Drive into a storage facility

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Please record my opposition to converting 2.5 acres of farmland abutting Bethpage Drive into a fenced-in storage facility for RVs, boats, and trailers.

As a Heritage Village community member, I am opposed for the following reasons:

- Dangerous traffic conditions and congestion:
 - o Traffic on Postal Lane has become increasingly denser and even dangerous, especially during prime beach season. Traffic in and out of the storage lot on Postal Lane will create an unnecessary hazard.
 - o Large turning vehicles will impede two-way traffic. The street is not designed for heavy loads making wide turns in and out of a storage facility. Traffic on both side of the road will be affected, increasing accidents and causing extensive delays.
- Increased crime/noise/other nuisances:
 - o Acres of parked RVs, boats, etc. will invite vandalism and theft, which will undoubtedly spill over to the Heritage Village residential community as vandals look for additional targets. This will affect the emotional and even physical health of our many elderly residents, including disable veterans.
 - o 24-hour access will create untenable noise conditions, especially with increased crowds looking for places to park (and sleep) during local events in Dover Downs and neighboring cities. Additionally, noise complaints and increased crime will create the need for additional law enforcement resources patrolling the area.
 - o Unsafe pedestrian conditions: With numerous dog walkers and joggers, this huge commercial venture does not belong right in the center of three residential neighborhoods.
 - o Increased odors and visual intrusions will have a detrimental impact on the peace and privacy to abutting homeowners.
- Decreased home values: Abutting homes to the farmland were more costly due to the view and space. A giant parking lot of vehicles in various states of decline, bright lights glaring all through the night, endless noise at all hours, etc. will invariably decrease property values.
- Vermin breeding ground: RVs, boats and other stored vehicles filled with tasty morsels of stored goodies will create a rodent infestation that will spill over to the neighboring residential communities.
- Untold hazards: Deteriorating RVs, boats, and trailers pose numerous hazards including toxic waste. Additionally, owners sleeping in their RVs with create additional unsanitary conditions.
- Environmental safety:
 - o Flooding and pollution hazard: Turning acres of rain absorbing land into a concrete jungle will create pollution runoff and storm drainage problems
 - o Global warming: Materials such as **concrete and asphalt** have a much higher capacity for heat and stay warmer at night never allowing the surrounding **communities** to cool off as much.

Authorizing this eye sore and community hazard will only lead to scope creep and invite further expansion of new business enterprises further degrading our quality of life and the reasons we choose to purchase and live in Heritage village and the surrounding residential communities.

Respectfully,

Barbara Goldberg
18798 Bethpage Drive
Lewes, DE 19958

***"Fight for the things that you care about, but do it in a way that will lead others to join you." -
RBG***

Chase Phillips

From: kzello@zoominternet.net
Sent: Monday, September 21, 2020 9:48 PM
To: Chase Phillips
Subject: Fwd: Opposition to C/U Samuel C. Warrington II Use of Land for an Outdoor RV and Boat Storage off of Postal Lane

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Mr. Phillips,

As a resident of the Heritage Village community housing development, I am writing this letter to express my opposition to a proposal that would allow land near Postal Lane to be used for an Outdoor RV and Boat Storage business.(C/U Samuel C. Warrington II 34378 Postal Lane, Lewes, De Tax Parcel: 334- 12.00-55.01)

This proposed new commercial venture does not belong in this designated AR-1 Agricultural Residential District. An Outdoor RV and Boat Storage does not belong in the center of 3 neighborhoods!

Additionally, I am concerned with the potential impact this new business will bring to the lowering of our real estate values here in Heritage Village.

I urge you to disapprove this application.

Thank you.

Karen Zello
34831 Pinehurst Way
Lewes, De 19958
443-350-3706

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

From: kzello@zoominternet.net
To: "chase phillips" <chase.phillips@sussexcountyde.gov>
Sent: Sunday, September 20, 2020 8:02:26 AM
Subject: Opposition to C/U Samuel C. Warrington II Use of Land for an Outdoor RV and Boat Storage off of Postal Lane

Dear Mr. Phillips,

As a resident of the Heritage Village community housing development, I am writing this letter to express my opposition to a proposal that would allow land near Postal Lane to be used for an Outdoor RV and Boat Storage business.(C/U Samuel C. Warrington II 34378 Postal Lane, Lewes, De Tax Parcel: 334- 12.00-55.01)

This proposed new commercial venture does not belong in this designated AR-1 Agricultural Residential District. An Outdoor RV and Boat Storage does not belong in the center of 3 neighborhoods!

Additionally, I am concerned with the potential impact this new business will bring to the lowering of our real estate values here in Heritage Village.

I urge you to disapprove this application.

Thank you.

Karen Zello
34831 Pinehurst Way
Lewes, De 19958
443-350-3706

Date: Sept 21, 2020

Mr Phillips,

My wife and I had purchased a house in Heritage Village in 2017 and have been more than happy about our location for a second home. After searching for about 12 months, we found that all the amenities that Heritage Village offers, was exactly what we were looking for, for our family of 5. It's a quiet neighborhood with lots to offer, such as close to shopping, close to the beach, close to the movie theater, and a wonderful golf course short enough to be enjoyed by everyone of all ages and skill levels. Another reason we bought here was that the land adjacent to the golf course would never be developed. We would not have moved here if there was a chance it could be developed into a business venture. We were very disappointed to hear that it was under consideration for a storage yard for boats and rv's.

The idea of a boat and rv storage yard does not seem to be very appealing or sightly for our neighborhood. For one, it is very close to Rt 1 and a very busy entry/egress point to access the ACME shopping center. Many times, especially during the busy summer months, this intersection is congested and takes time and patience to exit or enter the Heritage Village complex. Imagine large RV's, trucks and trailers, boat trailers adding to the congestion that already exists. This simply does not seem like a wise opportunity for growth in our small piece of paradise. Some other issues that concern our family is the crime rate as storage yards for RV's and boats become an attraction for criminals looking to capitalize on someone else's property. This will then lead them into our neighborhood to continue their crime spree. This is not fair to the people in our community or the people in the adjacent communities. There is no reason to put a storage yard at this location when there are many, many other vacant lots to do so.

Please consider our stance on this proposed business. We would very much appreciate your consideration to protect our property and our community from unwanted business ventures such as this now and in the future.

Sincerely,

Tony and Lynn Leonard

18813 Bethpage Drive

Lewes, DE 19958

**Opposition
Exhibit**

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Jenna Douglass <jenna.douglass@gmail.com>
Sent: Monday, September 21, 2020 4:29 PM
To: Chase Phillips
Cc: hrvbod.ronscala@gmail.com
Subject: Proposed RV/boat lot on Golf Course Way

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

To whom it may concern,

I am writing to you as a resident of the Heritage Village neighborhood regarding the proposed outdoor RV and boat storage facility. I would like to voice my opinion that I am against this possibility, as that area is not suitable for a business venture as it is in the middle of many residential neighborhoods. Not only would it be visually unappealing, but the increase in vehicle traffic could decrease the safety that is normally afforded to the neighborhood's residents, especially to dog owners and those choosing to exercise in that area.

I would appreciate you considering my appeal at this time.

Thank you,
Jenna Douglass
30874 Congressional Lane
Lewes, DE 19958

Opposition
Exhibit

RECEIVED

SEP 22 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: James Proske <james.proske@gmail.com>
Sent: Monday, September 21, 2020 1:37 PM
To: Chase Phillips; Planning and Zoning
Subject: C/U 2237 Samuel C. Warrington II

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

To: Chase Phillips, Planner I and Sussex County Planning & Zoning Commission
From: James and Patricia Proske
RE: C/U 2237 Samuel C. Warrington II

We are homeowners at Heritage Village in Lewes Delaware and are concerned about the application for a Conditional Use of land request to permit Samuel C. Warrington II to create an outdoor RV and boat storage location and business. The initial hearing of this request is on the agenda for Thursday September 25th, 2020.

We are not in favor of this proposal to bring a commercial business into an area closely surrounded by residential neighborhoods. We have two specific concerns:

Postal Lane is a single lane road connecting Coastal Highway (Route 1) and Plantation Road (1D) and is already a popular shortcut for motorists to avoid Route 1 traffic. During the summer season and beyond this road becomes difficult to access from Bethpage Drive into and out of our community. Adding large vehicle traffic to this road, turning into and out of the proposed storage entrance and exit will increase volume and the difficulty for local motorists getting on and off the road. As this is a storage facility then each drop off and pickup will have two vehicles to get there and leave, adding to the overall volume of traffic. There is also the potential of backups going into the facility, spilling over onto Postal Lane. The result is recreational vehicles and trailers with boats sitting on Postal Lane waiting to enter or exit the storage facility, stopping all traffic from passing. Will a traffic study be conducted to determine the level of service expected of Postal Lane today?

The second concern is the daily operations of the storage facility and our homes. A fence is not going to hide the various large vehicles and trailers from view within our neighborhood. We bought and today enjoy a bucolic residence within Lewes Delaware. It is reasonable to expect they will have 24-hour security, cameras and lights on the property to protect the storage, also visible. The exhaust from these large vehicles will add both noise and air pollution. As a storage facility for RV and Boats it will be open 24 hours a day 7 days a week with the noise of vehicles starting engines and moving throughout these times. Will an environmental study be conducted to estimate the increase of particulate matter and VOCs our neighborhood will be forced to breath? We need to worry not only about the vehicle exhaust but also the potential release of waste system gases. Will we be able to open our windows or sit on the deck? Noxious fumes can turn our relaxing beach town neighborhood into a place we avoid.

If this application moves forward, our neighborhood can go from one of the best places to live and vacation to a parking lot where people park and store, then travel to other towns to live and relax. My wife and I along with our community urge you as part of your analysis to reject the consideration of this Conditional use of Land for an outdoor RV and boat storage facility. Thank you.

Best Regards,

Opposition
Exhibit

RECEIVED

SEP 21 2020

SUSSEX COUNTY
PLANNING

James and Patricia Proske
18766 Bethpage Drive
Lewes, Delaware 19958
908-906-4571 / 973-214-3503

SEP 21 2020

Chase Phillips

From: Nancy Bruno <nancyb_1214@yahoo.com>
Sent: Monday, September 21, 2020 11:47 AM
To: Chase Phillips; nancyb_1214@yahoo.com
Subject: C/U 2237 RV/Boat Storage

SUSSEX COUNTY
 PLANNING & ZONING

Opposition
 Exhibit

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Sent from Mail for Windows 10Dear Mr. Phillips,

I am reaching out to you today to express my concerns about an outdoor RV/Boat storage proposal submitted to Sussex county on July 17, 2020 by Samuel C. Warrington II (C/U 2237) utilizing the property at 34378 Postal Lane, Lewes, DE 19958. As the rezoning application states, the property will use 2.5 (more or less) acres of land at this site for storing these large vehicles.

While I have been reading the proposal and have researched these facilities, I have come across several issues with these properties. Additionally, the access to this location from Postal Lane raises serious concerns.

First, the area itself is in a wide-open space that is passed by automobiles on the private road, Bethpage Drive, on the way in and out of the Heritage Village community. Needless to say, this will be unsightly. Not only that, the only people that will have to deal with this are the people that live in the development and no one else. Will the area be maintained? Will it be paved? Will there be control of pests in the area?

Mostly, my main concern about the location is that there is no guarantee that the individual boat and RV owners will follow any rules or environmental guidelines for dumping garbage, other items that may have broken, but most importantly, the grey and black water from these vehicles. The EPA does not recommend that any of that waste water be dumped into septic systems which is what the property currently provides. According to the EPA, chemicals from these vehicles do not work well with septic tanks and those tanks can seep over time into the surrounding areas creating an environmental catastrophe and with waste, odor and any water resources. There is nothing in the application that states there will be a facility do any dumping of those items but again, there isn't anything that prevents that from happening if the owners of the vehicles do not follow rules or guidelines.

<https://www.epa.gov/sites/production/files/2015-06/documents/rv-wastewater.pdf>

Additionally, as an occasional bicyclist, I will attest to the narrowness of Postal Lane itself. Any large vehicles trying to enter the location from Postal Lane coming from the Plantation Road direction will need to swing wide to get into the property. And any vehicle coming from the Rt. 1 direction will need to make a left and hold traffic to do so. Neither direction leaves room for cyclists and it creates a hazard if the vehicle does not fit on the road or if other motorists get impatient with a wait. The road itself is a bit of a hazard for cyclists as it is. Adding large tow vehicles to the road will only exacerbate a situation.

As you can see, it doesn't make a lot of sense to the county, Lewes, or the area surrounding Postal Lane to create this storage facility considering there is already ample storage in the area.

I want to thank you for your time and consideration of the issues and concerns I have raised. If you have any questions for me, please do not hesitate to contact me.

Kindest regards,
Nancy Bruno
18772 Bethpage Drive,
Lewes, DE 19958
856.278.7678

Hi Sussex County Council,

I am a resident of Heritage Village in Lewes and have learned there is an application to change a portion of the corn field from Agricultural Use to Conditional Commercial use. I want to go on record that I and my spouse are totally against this. We moved here 5 years ago because it is a very residential area, even with the golf course next door, it remains a quiet place to live.

The traffic issues that this boat/ RV storage facility will create will make Postal Rd more dangerous than it already is, especially during tourist season. There is a curve where the entrance is determined to be and unless some major changes are made to this already narrow road, this is only an accident(s) waiting to happen. Postal Rd. is too narrow to be considered for a commercial endeavor.

Another concern is that with boat and RV storage there needs to be a certain type of surface they are parked on. This is Extremely important due to Hazardous Waste leaking onto the ground.

I hope you vote No on this Application.

Thank you for your attention in this matter.

Regards,
Ingrid Callmann and Karen Askins
18784 Bethpage Dr.
Lewes, De. 19958
610-428-6229

**Opposition
Exhibit**

RECEIVED

SEP 21 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: beth petite <mohinder_nestle@yahoo.com>
Sent: Monday, September 21, 2020 10:18 AM
To: Chase Phillips
Subject: RV and Boat Storage Proposal
Attachments: Rehoboth.pages

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Opposition
Exhibit

RECEIVED

SEP 21 2020

SUSSEX COUNTY
PLANNING & ZONING

9/21/2020

To Whom It May Concern,

I am writing relative to the proposed Boat/RV storage facility being built off of Postal Lane and surrounding Bethpage Dr., Lewes, Delaware. I am a homeowner at 18880 Bethpage Drive and needless to say am extremely concerned with the possible request being approved.

It is proposed the entrance be off of Postal Lane, a narrow, busy road which presently presents difficulty when exiting Bethpage Drive. The addition of a facility such as a Boat and RV storage will only enhance the present problem and create an even more dangerous situation. The acme already invites extra traffic on a daily basis. With larger vehicles such as RV's and Boats accessing the road on a consistent basis it is absolutely a safety hazard. Consideration must be given to the residents who reside in the area and are utilizing the roadway on a daily basis. Why jeopardize the safety of others?

The placement of the proposed storage facility is also a concern. Why would a facility which stores RV's and Boats be placed in the middle of several residential communities? I have observed many other potential locations for such a business where it does not impact residential communities. When deciding to purchase a home on Bethpage Drive it was the serene views and feel in Heritage Village which attracted me to Lewes. Looking out onto the golf course, seeing the golfers, watching the many residents walk along Bethpage Drive, children riding their bikes, residents walking their dogs, etc. The proposed storage facility will bring noise, unwanted scenery, possible vandalism, and a constant view similar to Dover Downs on a busy day.

Presently people come to utilize the serene nature of the American Club Golf Course. What advantage does a RV/Boat storage facility bring to the present serene nature? It only brings an unwanted view, noise, and traffic. The development of a storage facility will definitely take away the peaceful nature. The approval of such a facility will take away the beauty of the present area.

The approval of the Boat/RV storage facility will also create a change in the environmental conditions. Boats and RV's will bring hazardous materials into the area which causes safety concerns as well.

As I thoroughly think through the proposal I was trying to identify the benefits it may to bring to the many residents in the surrounding communities. To date I have discovered none. Will the development of such a facility bring value to our homes? No. Will the development lower taxes? No. Will the development create beauty to our present area? No. Is the development of such a facility creating a safer environment? No. Does the development enhance the beauty of the community? No.

It is my hope that the concerns of the residents in the surrounding communities is strongly taken under consideration when determining the outcome of this proposal. The number of people who will be negatively impacted far outweighs the gains which will be received from such a facility.

Sincerely,

Elizabeth Pettifé
18880 Bethpage Drive
Lewes, Del 19958

Chase Phillips

From: Stacy Wenzl <stacywenzl@verizon.net>
Sent: Friday, September 18, 2020 4:26 PM
To: Chase Phillips
Cc: HRVBOD.ronscala@gmail.com
Subject: Planning & Zoning Objection - Heritage Village

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

To whom it may concern:

I am unable to attend the Planning & Zoning meeting on Thurs, 9/24/2020, therefore I wanted to write to express my strong position of opposing the proposed plan to build a Boat & RV storage facility right next to our development on 2.5 acres of farm land. This would cause a tremendous eye sore, traffic issues and decreased property values. I bought in this development because I was advised that the farm next to our development would remain a farm and an agricultural property.

Please do NOT allow this development.

Thank you,
Stacy Wenzl
18795 Bethpage Drive
Lewes, DE 19958

Opposition
Exhibit

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Craig Oreilly <croreilly@aol.com>
Sent: Friday, September 18, 2020 4:07 PM
To: Chase Phillips
Cc: hrvbod.ronscala@gmail.com
Subject: RV Storage Facility

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Sir:

Good afternoon - I am writing to voice my strong opposition to the proposed conversion of farm land to a RV storage facility next to Heritage Village in Lewes. I firmly believe that if this proposal is granted, the only party that will benefit is the land owner -- not the residents of Heritage Village or our surrounding neighbors. Not only will there be a drastic increase in vehicle traffic in and around our development, I am certain that this storage facility will have a negative impact on our property values.

I am requesting that any proposal to allow this farm land be converted to any commercial property now or in the future be denied.

Thank you --

Craig O'Reilly
30881 Congressional Lane
Lewes, DE 19958
941-586-0120

**Opposition
Exhibit**

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: Natalie Rosetti <natalierosetti@gmail.com>
Sent: Friday, September 18, 2020 3:53 PM
To: Chase Phillips
Subject: Applicant Samuel Warrington CU2237

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Chase,

I am a homeowner living in Heritage Village which is located off of Postal Lane and right next to Mr.Warrington's farm. I received a postcard regarding the RV and Boat storage facility that Mr Warrington is proposing. I feel this should not be granted for the following concerns and reasons:

1. This would hurt Heritage Village homeowners property value and resales in the entire community.
2. I don't feel this commercial venture belongs right in the center of three residential neighborhoods.
3. Since the entrance would be off of Postal Lane which is only a 2 lane street, I don't believe Postal Lane is wide enough to accommodate wide turns that boats and rv's will need to enter. Traffic will be backed up because of it and will be a big mess in the spring and summer. Traffic is bad enough now because we are located between Coastal Highway and Plantation Rd.
4. Hazardous material leaks are possible which is terrible for the homeowners, American Classic Golf Club and the environment.
5. Usually storage places are overgrown with weeds and are not kept up. I feel this will look like a junkyard in no time. This will only bring vandalism , theft and rodents in our communities.
6. When he wanted to develop 14 townhomes it wasn't approved. Then he went to ask for only 4 single family homes which again wasn't approved. (this would have been better) because of less traffic than the rv's and boats would bring.

Thank you for listening

Natalie Rosetti- Heritage Village Homeowner
18806 Bethpage Dr.
Lewes, De. 19958

**Opposition
Exhibit**

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: keckert6962 <keckert6962@gmail.com>
Sent: Friday, September 18, 2020 2:04 PM
To: Chase Phillips
Cc: HRVBOD.RonScala@gmail.com
Subject: Zoning hearing regarding C/U 2237 Samuel C Warrington II, 34778 Postal Ln, Lewes, DE

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

As a resident of the Heritage Village community I am opposed to changing the use of this land from agricultural zoning to commercial use zoning for the purpose of being a boat, trailer and RV storage lot. Movement of these vehicles will cause delays on an already dangerous curved stretch of road. It's already tough getting out on to Postal Rd due to cars flying around the curve where an entrance to the proposed storage lot would be. I am also opposed because of the hazardous materials in these vehicles. At some point, I would hope the wishes of the affected communities where these types of situations occur would not be run over for the sake of increased income to the local counties.

Sent from my Verizon, Samsung Galaxy smartphone

Opposition
Exhibit

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Chase Phillips

From: keckert6962 <keckert6962@gmail.com>
Sent: Friday, September 18, 2020 2:04 PM
To: Chase Phillips
Cc: HRVBOD.RonScala@gmail.com
Subject: Zoning hearing regarding C/U 2237 Samuel C Warrington II, 34778 Postal Ln, Lewes, DE

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

As a resident of the Heritage Village community I am opposed to changing the use of this land from agricultural zoning to commercial use zoning for the purpose of being a boat, trailer and RV storage lot. Movement of these vehicles will cause delays on an already dangerous curved stretch of road. It's already tough getting out on to Postal Rd due to cars flying around the curve where an entrance to the proposed storage lot would be. I am also opposed because of the hazardous materials in these vehicles. At some point, I would hope the wishes of the affected communities where these types of situations occur would not be run over for the sake of increased income to the local counties.

Sent from my Verizon, Samsung Galaxy smartphone

**Opposition
Exhibit**

RECEIVED

SEP 18 2020

**SUSSEX COUNTY
PLANNING & ZONING**

Chase Phillips

From: carol Ferraro <carolferraro4405@gmail.com>
Sent: Friday, September 18, 2020 1:52 PM
To: Chase Phillips
Subject: Re: Boat and RV storage storage commercial area proposal next to Heritage Village

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

CU/2237

Applicant: Samuel Warrington

Hello Mr. Phillips,

I read the public notice and am very concerned about the affect on property values, the public golf course and the environment next to Heritage Village.

I agree wholeheartedly with all of the points in the letter to you from our neighbors, the Armideos, on Bethpage Drive across from the cornfield.

In addition, my husband, Brian and I are concerned with the additional traffic into our community from Postal Lane and the eyesore to our lovely community.

We are not in favor of this proposal and wanted to express our opposition. We live out of state but will make every effort to attend the hearings.

Carol and Brian Ferraro
610 350 7983
18741 Bethpage Deive.

**Opposition
Exhibit**

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING

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, MTRPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: September 24, 2020

Application: CU 2239 Coastal Services, LLC

Applicant/Owner: Coastal Services, LLC
30430 Cedar Neck Rd.
Ocean View, DE 19970

Site Location: On the west side of Cedar Neck Rd. (Rt. 357) approx..0.64 mile north
of Fred Hudson Rd. (S.C.R. 360)

Current Zoning: GR (General Residential) & B-1 (Neighborhood Business)

Proposed Use: General Contracting Business

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Hudson

School District: Indian River School District

Fire District: Millville Fire District

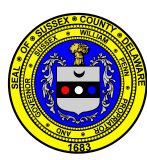
Sewer: Sussex County

Water: Well

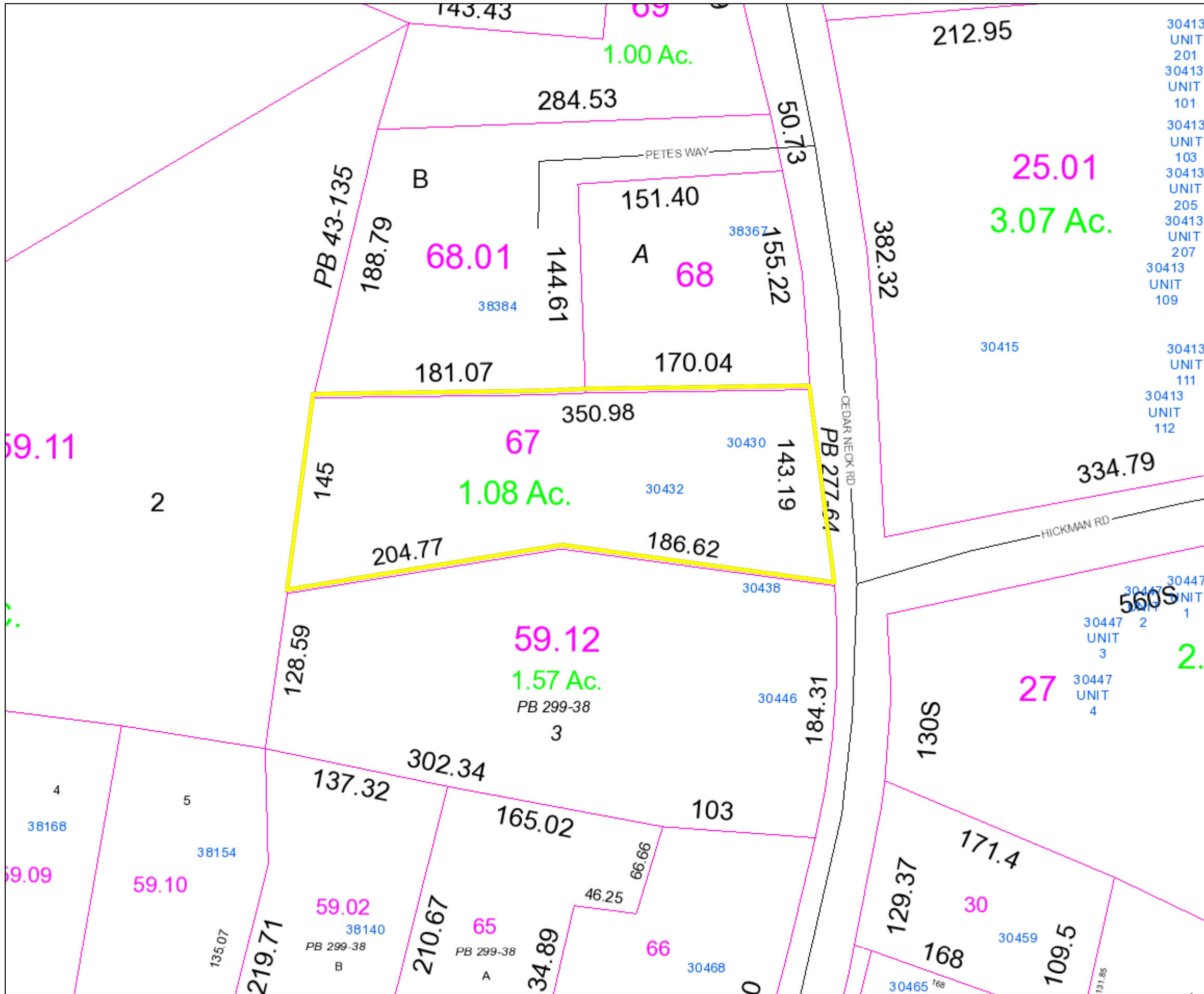
Site Area: 1.08 Acres

Tax Map ID.: 134-9.00-67.00



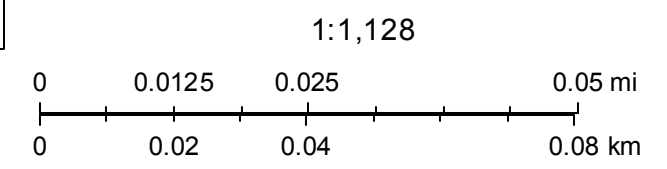


Sussex County



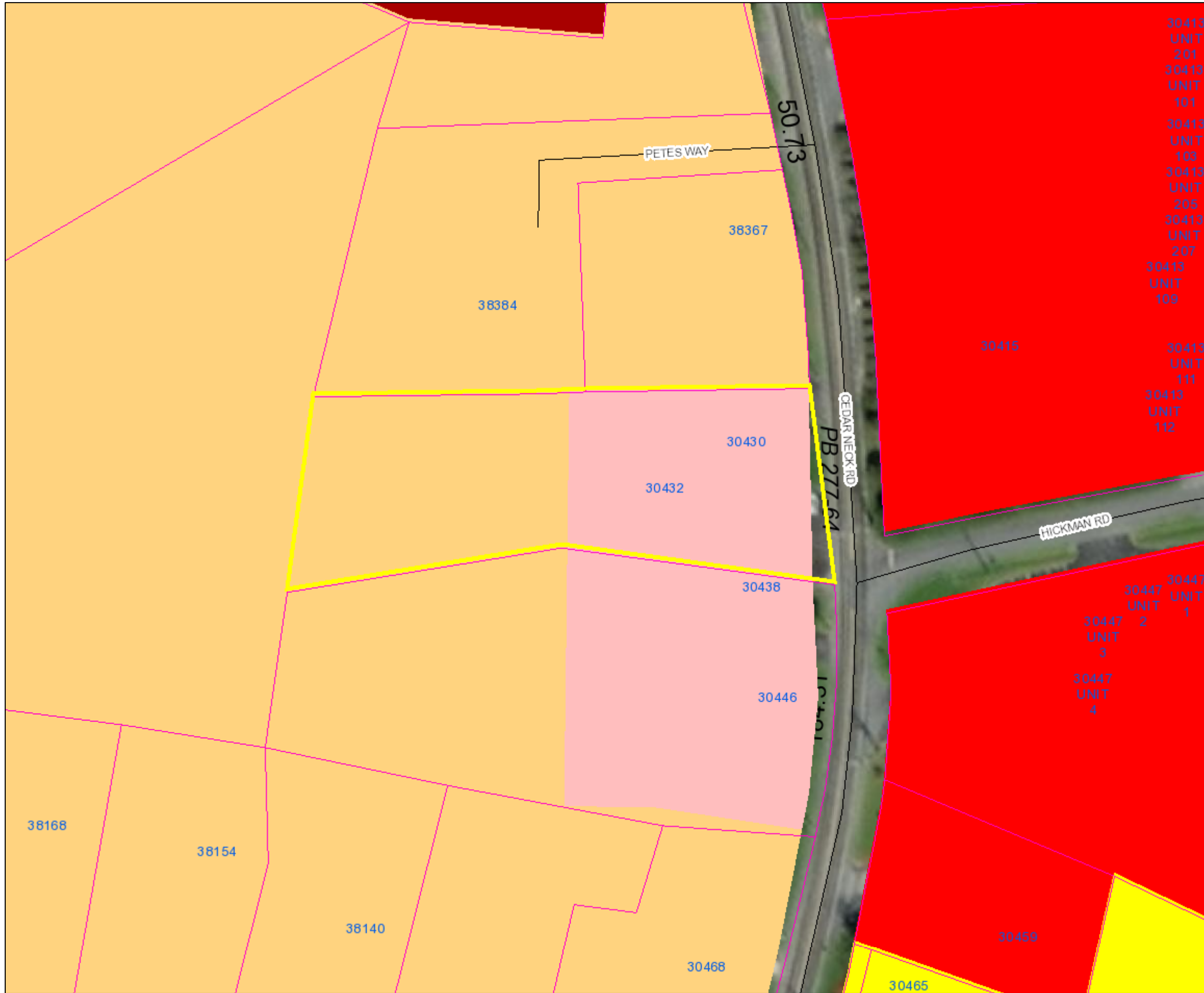
PIN:	134-9.00-67.00
Owner Name	COASTAL PROPERTIES LLC
Book	5026
Mailing Address	30430 CEDAR NECK RD
City	OCEAN VIEW
State	DE
Description	W/OCEAN VIEW
Description 2	QUILLENS PT RD
Description 3	2 LOTS
Land Code	

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



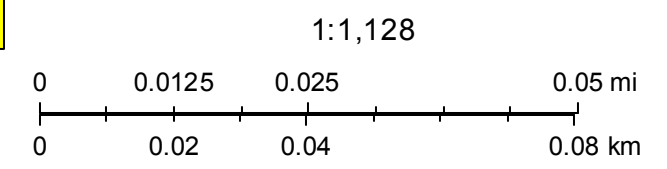


Sussex County



PIN:	134-9.00-67.00
Owner Name	COASTAL PROPERTIES LLC
Book	5026
Mailing Address	30430 CEDAR NECK RD
City	OCEAN VIEW
State	DE
Description	W/OCEAN VIEW
Description 2	QUILLENS PT RD
Description 3	2 LOTS
Land Code	

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



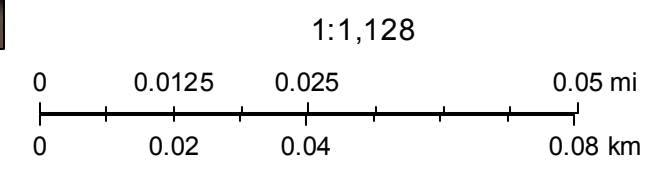


Sussex County



PIN:	134-9.00-67.00
Owner Name	COASTAL PROPERTIES LLC
Book	5026
Mailing Address	30430 CEDAR NECK RD
City	OCEAN VIEW
State	DE
Description	W/OCEAN VIEW
Description 2	QUILLENS PT RD
Description 3	2 LOTS
Land Code	

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



JAMIE WHITEHOUSE, AICP, MRTPI
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: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: September 17, 2020
RE: Staff Analysis for CU 2239 Coastal Services, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2239 Coastal Services, LLC to be reviewed during the September 24, 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 Tax Parcel 134-9.00-67.00 to allow for a Conditional Use of land in a General Residential (GR) Zoning District and Neighborhood Business (B-1) Zoning District for a general contracting business. The parcel is located on the west side of Cedar Neck Rd. (Rt. 357) in Ocean View, Delaware. The size of the property is approximately 1.08 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 a Coastal Area designation. The adjacent properties in each direction are also a part of the Coastal Area.

The Coastal Area is designated to encourage growth and development without diminishing special ecological and environmental characteristics. The Coastal Area may include various types of housing, small-scale retail and office, light commercial, and institutional land uses. Sussex County's base density of two (2) units per acre is typically standard. Medium and higher densities (4-12 units per acre may be appropriate in selected locations.

This parcel is a split zoned parcel within a General Residential (GR) Zoning District and Neighborhood Business (B-1) Zoning District. The adjacent parcels to the north and west are zoned General Residential (GR). The parcel to the east is zoned General Commercial (C-1). The parcel to the south is also a split zoned parcel with the General Residential (GR) and Neighborhood Business (B-1) Zoning Districts.

Since 2011, there has been one (1) Conditional Use application in a one-mile radius. Conditional Use 2130, to allow for a 20-unit multifamily development, was approved by County Council on October 30, 2018 and adopted through Ordinance No. 2609.

Land use and zoning have been analyzed for both this subject site and other nearby properties. A Conditional Use to allow for a general contracting business, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



File #: CU 2239
20205400

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

MAY 26 2020

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)

Conditional Use
Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

30430 Cedar Neck Road, Ocean View, DE 19970

Type of Conditional Use Requested:

Conditional use for the operation of a small general contracting business located on a property with split zoning. The property is zoned B1 and GR, requiring conditional use approval for the operation of the business under Code Section 115-39.

Tax Map #: 134-9.00-67.00 **Size of Parcel(s):** 1.08 Acres +/-

Current Zoning: GR/B1 **Proposed Zoning:** N/A **Size of Building:** 32' x 210' x 16'

Land Use Classification: _____

Water Provider: Well **Sewer Provider:** County

Applicant Information

Applicant Name: Coastal Services, LLC
Applicant Address: 30430 Cedar Neck Road
City: Ocean View State: DE Zip Code: 19970
Phone #: _____ E-mail: _____

Owner Information

Owner Name: Coastal Properties, LLC
Owner Address: 30430 Cedar Neck Road
City: Ocean View State: DE Zip Code: 19970
Phone #: (302) 218-1577 E-mail: gelliott18@aol.com; nicole@coastalservices.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Mackenzie M. Peet, Esq.
Agent/Attorney/Engineer Address: 323E Rehoboth Avenue
City: Rehoboth Beach State: DE Zip Code: 19971
Phone #: (302) 227-1314 E-mail: 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

Murkusia M. Peet, Esq.

Date: 05/01/2020

Signature of Owner

George Blunt

Date: 5-1-2020

For office use only:

Date Submitted: 5/26/20

Fee: \$500.00 Check #: 6021

Staff accepting application: JP

Application & Case #: 20200840

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

February 25, 2020

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

Dear Mr. Jamie:

The Department has completed its review of a Service Level Evaluation Request for the **George Elliott** conditional use application, which we received on January 28, 2020. This application is for an approximately 1.08-acre parcel (Tax Parcel: 134-9.00-67.00). The subject land is located on the west side of Cedar Neck Road (Sussex Road 357), just northwest of the intersection of Cedar Neck Road and Hickman Road (Sussex Road 359). The subject land is currently split-zoned as GR (General Residential) and B-1 (Neighborhood Business), and the applicant is seeking a conditional use approval to build a 6,720 square-foot barn to expand the existing contracting business.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Cedar Neck Road where the subject land is located, which is from Hickman Road to the end of the road, is 876 vehicles per day.

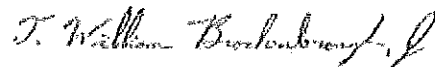
Based on our review, we estimate that the above land uses will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DeIDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. 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.

Mr. Jamie Whitehouse
Page 2 of 2
February 25, 2020

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.

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
George Elliott, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Thomas Felice, Corridor Capacity Preservation Program Manager, Development
Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, Sussex County Review 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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/8/2020**

APPLICATION: **CU 2239 Coastal Services LLC**

APPLICANT: **Coastal Services LLC**

FILE NO: **CN 1.05**

TAX MAP &
PARCEL(S): **134-9.00-67.00**

LOCATION: **On the west side of Cedar Neck Road (SCR 357),
approximately 0.64 mile north of Fred Hudson Road.**

NO. OF UNITS: **General Contracting Business**

GROSS
ACREAGE: **1.08**

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** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **No** 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? **N/A**
- (8). Comments: **The parcel is served with one 8-inch lateral. There is currently "Master Klean" office space connected to the sanitary sewer totaling 1.32 EDU's. If this is disconnected from the sewer it would result in a credit of 1.32 EDU's**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**
- (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



30430 Cedar Neck Road
 Ocean View, De. 19970
 302-616-2906

We are planning on putting up a new pole barn building 32' W x 210'L x 16' H at 30430 Cedar Neck Road, Ocean View, De. 19970. If you face our property from Cedar Neck Road on the right side of the property 3' off the property line fence is where we want to install the new building. We are applying for a variance to make this legal. It will be used to store our materials so we can clean our yard up and organize making it more appealing to everyone. We also plan on putting up a new 6' vinyl fence on the opposite side of the yard so neighbor behind us will not have to look at materials and equipment stored in the yard.

The pole barn will start 128' off of Cedar Neck Road and continue towards the back of the yard 210' leaving 12.98' of right away in the back.

We are asking for your signature and property address if you approve:

Sharon Strong
Blair King
Norman Justice

38154 Piney Point Rd.
38176 PINEY POINT RD.
30446 Cedar Neck Rd. O.V.

Mattie Evans

From: Colleen Sagers <cfsagers@hotmail.com>
Sent: Monday, March 23, 2020 12:51 PM
To: Mattie Evans
Subject: Re: Coastal Services, LLC - Pole Barn

George Elliott

March 23,2020

I agree for you to build a pole barn on your property at Coastal Services on cedar neck road, Ocean View, De. You also agreed to continue to install fencing down the property for privacy. Thank you for that. Sorry for the delay, internet has been down and I forgot about you.

Colleen Sagers
38384 Petes Way
Ocean View, De. 19970 Phone 302-236-2859

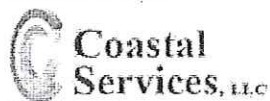
From: Mattie Evans <mattie@coastalservicesllc.net>
Sent: Thursday, March 19, 2020 6:56 PM
To: cfsagers@hotmail.com <cfsagers@hotmail.com>
Subject: Coastal Services, LLC - Pole Barn

Ms. Sagers,

George asked me to send this to you. If you are unable to sign it can you please reply back to this email with approval along with your property address. Please let me know if you have any questions!

Thank you,

Mattie Evans



30430 Cedar Neck Road
Ocean View, DE 19970
Office: (302) 616-2906

Plumbing – Heating – Air Conditioning – Electrical – Renovation – Power-washing – Handy-man Services

Mattie Evans

From: lynn smith <shesuit@yahoo.com>
Sent: Monday, March 23, 2020 12:56 PM
To: Mattie Evans
Subject: Re: Coastal Services, LLC - pole barn

We approve of the attached proposal by Coastal Services to install a fence & building a new pole building as described.

Lynn & Franklin Smith
38140 Piney Point Road

On Friday, March 20, 2020, 07:25:42 AM CDT, Mattie Evans <mattie@coastalservicesllc.net> wrote:

Good morning Mr. and Mrs. Smith,

George Elliott, owner of Coastal Services, asked me to send this to you. If you do not have a way of signing this a reply back approving the pole barn would be appreciated!

Thank you,

Mattie Evans



30430 Cedar Neck Road

Ocean View, DE 19970

Office: (302) 616-2906

Plumbing – Heating – Air Conditioning – Electrical – Renovation – Power-washing – Handy-man Services

EXHIBIT A

Deed

LAW OFFICES

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

PARID: 134-9.00-67.00
 COASTAL PROPERTIES LLC

ROLL: RP

Property Information

Property Location:

Unit:

City:

State:

Zip:

Class:	RES-Residential
Use Code (LUC):	RS-RESIDENTIAL SINGLE FAMILY
Town	00-None
Tax District:	134 – BALTIMORE
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	84-Millville
Deeded Acres:	
Frontage:	143
Depth:	180.000
Irr Lot:	
Zoning 1:	B-1-NEIGHBORHOOD BUSINESS
Zoning 2:	-
Plot Book Page:	/PB
100% Land Value:	\$7,600
100% Improvement Value	\$19,700
100% Total Value	\$27,300

Legal

Legal Description	W/OCEAN VIEW QUILLENS PT RD 2 LOTS
-------------------	--

Owners

Owner	Co-owner	Address	City	State	Zip
COASTAL PROPERTIES LLC		30430 CEDAR NECK RD	OCEAN VIEW	DE	19970

Document# 201900008233 BK: 5026 PG: 325
Recorder of Deeds, Scott Dailey On 3/13/2019 at 8:37:39 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 # 1-34-9.00-P/O 59.12
and 67.00

PREPARED BY & RETURN TO:
D. Stephen Parsons, P.A.
118 Atlantic Ave. #401
PO Box 480
Ocean View, DE 19970
File No. 35563/KE

THIS DEED, made this 6TH day of March, 2019,

- BETWEEN -

COASTAL PROPERTIES, LLC, of 30430 Cedar Neck Road, Ocean View, DE 19970,, parties of the first part,

- AND -

COASTAL PROPERTIES, LLC, of 30430 Cedar Neck Road, Ocean View, DE 19970, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE DOLLAR and 00/100 (\$1.00) and other valuable consideration, 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:

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, State of Delaware as shown on a survey plot entitled Boundary Survey Plan For Coastal Properties, LLC, as prepared by True North Land Surveying, dated January 8, 2019 and recorded in the Office of the Recorder of Deeds, at Georgetown, Delaware in Plot Book 277, Page 64 and being more particularly described as follows, to wit:

BEGINNING at a utility pole situate on the westerly right-of-way of Cedar Neck Road, said utility pole being a corner of these lands and lands N/F of Horace A. Sagers Subdivision; thence by and with said westerly right-of-way of Cedar Neck Road, S03°13'42"W, 143.19' to a PK nail being a corner of these lands and lands N/F of Norman E. & Eleanor W. Justice, Trustees; thence by and with said lands N/F of Norman E. & Eleanor W. Justice, Trustees, the following

Document# 2019000008233 BK: 5026 PG: 326

Recorder of Deeds, Scott Dailey On 3/13/2019 at 8:37:39 AM Sussex County, DE

Doc Surcharge Paid

two courses and distances, N72°02'18"W, 186.62' to an iron pipe; thence N89°08'24"W, 204.77' to an iron rod being a corner of these lands, lands N/F of Norman E. & Eleanor W. Justice, Trustees and a point on line of lands N/F of Colleen F & Kevin W. Sagers; thence by and with lands N/F of Colleen F. & Kevin W. Sagers, N17°35'33"E. 145.00' to an iron pipe being a corner of these lands, Parcel B and a point on line of lands N/F of Colleen F. and Kevin W. Sagers; thence by and with Parcel B, the following two courses and distances, S80°45'28"E, 164.91' to an iron pipe; thence S80°54'41"E, 186.07' to the point and place of beginning, said to contain 1.08 acres of land, more or less.

SUBJECT TO an Agreement between Helen E. Justice and Horace G. Clampffer, etux, dated July 2, 1970, or record in the Office of the Recorder of Deeds, at Georgetown, Delaware in Deed Book 656, Page 985, regarding the following privileges: "Use of an area in PINEY POINT ACRES LAGOON of an area for a boat, having approximately twenty (20) feet of frontage on the bulkhead, marked as Nos. 15 and 16, and extending out perpendicular to the bulkhead for a distance of not more than eighteen (18) feet.....the right to use in common with the owners of other lots in PINEY POINT ACRES and lot owners from other lands of grantor, a seven (7) foot walkway along the bulkhead and between the bulkhead and the adjacent line of lots along the lagoon. No automobiles shall be allowed on said walkway, nor on 15 foot right-of-way along the lagoon.

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.

BEING the same lands as conveyed unto Coastal Properties, LLC by Deed of James Gregory Martin, dated October 9, 2017 and recorded in the Office of the Recorder of Deeds, at Georgetown, Delaware in Deed Book 4785, Page 136 as to 23,495 square feet of land; and the same lands as conveyed unto Coastal Properties, LLC by Deed of Norman E. Justice, Trustee Under Revocable Trust Agreement of Norman E. Justice Dated 9/18/97, as amended, and Norman E. Justice as Substitute Trustee Under Revocable Trust Agreement of Eleanor W. Justice, Dated 9/18/97, dated March 6, 2019 and recorded in the Office of the Recorder of Deeds, at Georgetown, Delaware in Deed Book 5026 Page -322 .

Document# 201900008233 BK: 5026 PG: 327
Recorder of Deeds, Scott Dailey On 3/13/2019 at 8:37:39 AM Sussex County, DE
Doc Surcharge Paid

IN WITNESS WHEREOF, the parties of the first part have hereunto set Hand and Seal the day and year witnessed below.

Witness _____
Key Emery
Witness _____

George Elliott (SEAL)
George Elliott, Member

Nicole Peterdozzi (SEAL)
Nicole Peterdozzi, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 6th day of March, A.D. 2019, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, George Elliott and Nicole Peterdozzi, Members of the Coastal Properties, LLC, party 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.

[Signature]

Notary Public

MANAEN S. ROBINSON, IV, ESQ.
ATTORNEY AT LAW-DELAWARE
NOTARY PURSUANT TO
29 DEL. C., SEC. 4323(a)(3)

EXHIBIT B

DelDot Service Letter Evaluation

LAW OFFICES

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



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

JENNIFER COHAN
SECRETARY

February 25, 2020

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

Dear Mr. Jamie:

The Department has completed its review of a Service Level Evaluation Request for the **George Elliott** conditional use application, which we received on January 28, 2020. This application is for an approximately 1.08-acre parcel (Tax Parcel: 134-9.00-67.00). The subject land is located on the west side of Cedar Neck Road (Sussex Road 357), just northwest of the intersection of Cedar Neck Road and Hickman Road (Sussex Road 359). The subject land is currently split-zoned as GR (General Residential) and B-1 (Neighborhood Business), and the applicant is seeking a conditional use approval to build a 6,720 square-foot barn to expand the existing contracting business.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Cedar Neck Road where the subject land is located, which is from Hickman Road to the end of the road, is 876 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.

Mr. Jamie Whitehouse
Page 2 of 2
February 25, 2020

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.

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
George Elliott, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Thomas Felice, Corridor Capacity Preservation Program Manager, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, Sussex County Review 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

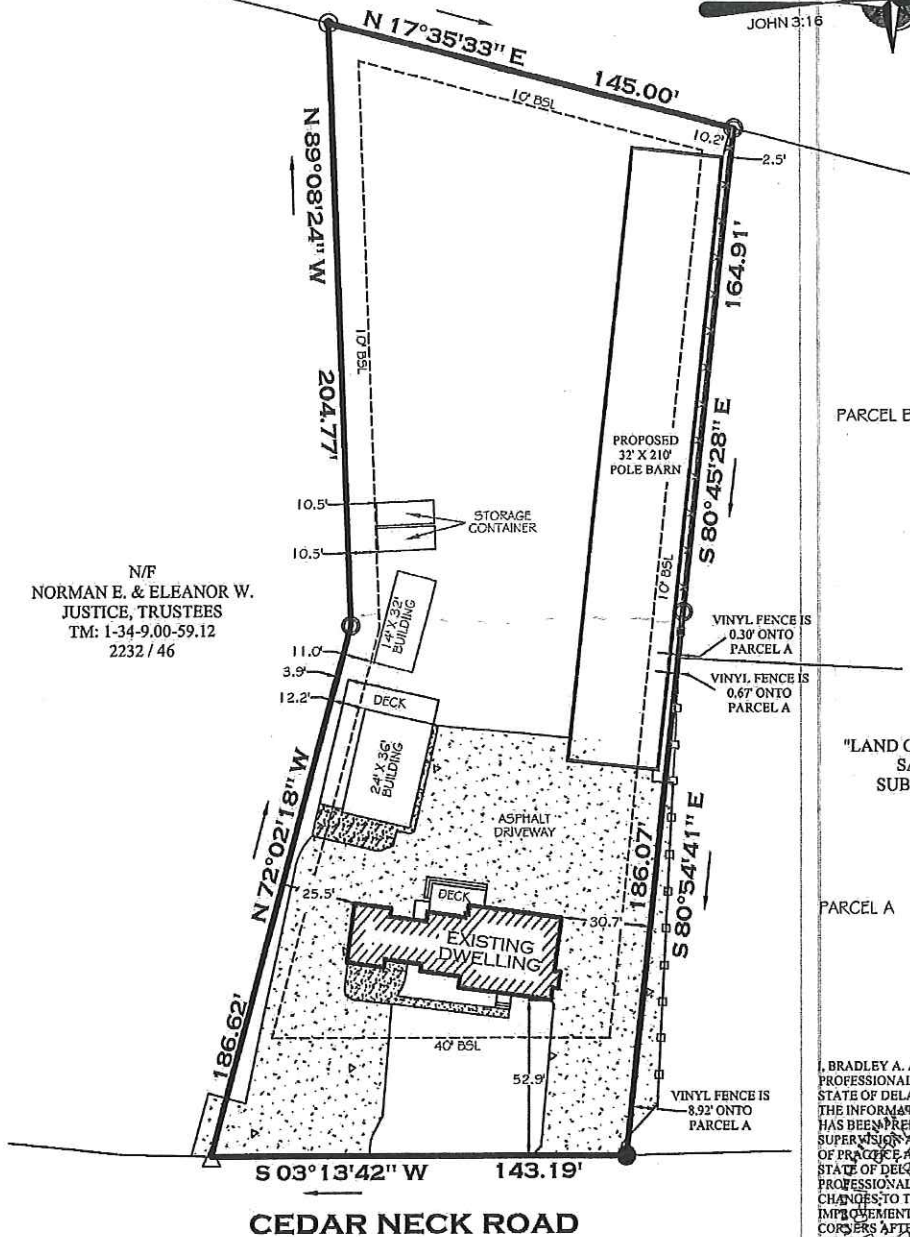
EXHIBIT C

Survey

LAW OFFICES

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

N/F
COLLEEN F. & KEVIN W. SAGERS
TM: 1-34-9.00-39.11
3248 / 317



N/F
NORMAN E. & ELEANOR W.
JUSTICE, TRUSTEES
TM: 1-34-9.00-59.12
2232 / 46

PARCEL B

"LAND OF HORACE A.
SAGERS"
SUBDIVISION

PARCEL A

I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL REQUIRE A NEW REVIEW AND CERTIFICATION BY AN OFFICIAL OR LEGAL USE ONLY.

BRADLEY A. ABSHER, DE PLS # 735
DATE

5.6.2020

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: B1
3. BUILDING SETBACK LINES (BSL)
FRONT 40'
SIDE 10'
REAR 10'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.

4. 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

- IRON PIPE FOUND
- UTILITY POLE
- ⊙ IRON ROD W/ CAP SET
- △ PK NAIL SET

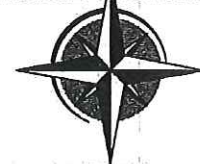
TAX MAP	1-34 - 9.00 - 67.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	---
AREA	1.08 ACRES ±
DEED REF.	4785 / 136
PLAT REF.	DB, 1665 / 199
DRAWN BY	JJZ
DATE	05 / 06 / 20
SCALE	1" = 50'
SURVEY #	DE - 05269

**BOUNDARY SURVEY
PLAN**

FOR
COASTAL PROPERTIES, LLC

30430 CEDAR NECK ROAD, OCEAN VIEW, DE 19970

TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE: 302-539-2488
MD: 410-430-2092

EXHIBIT D

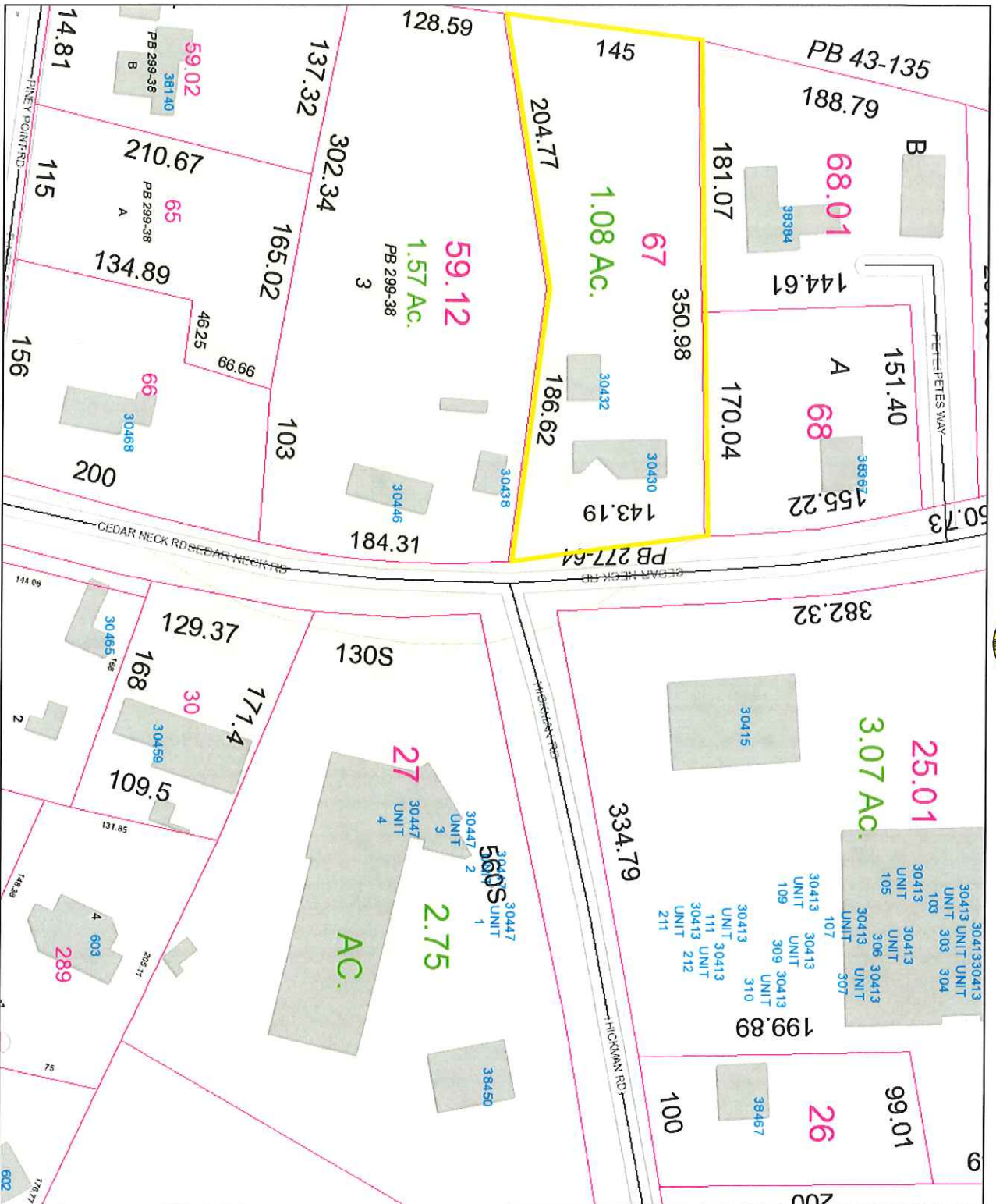
Aerial Maps

LAW OFFICES

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



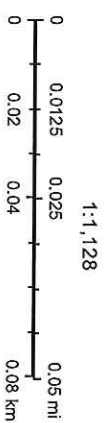
Sussex County



May 1, 2020

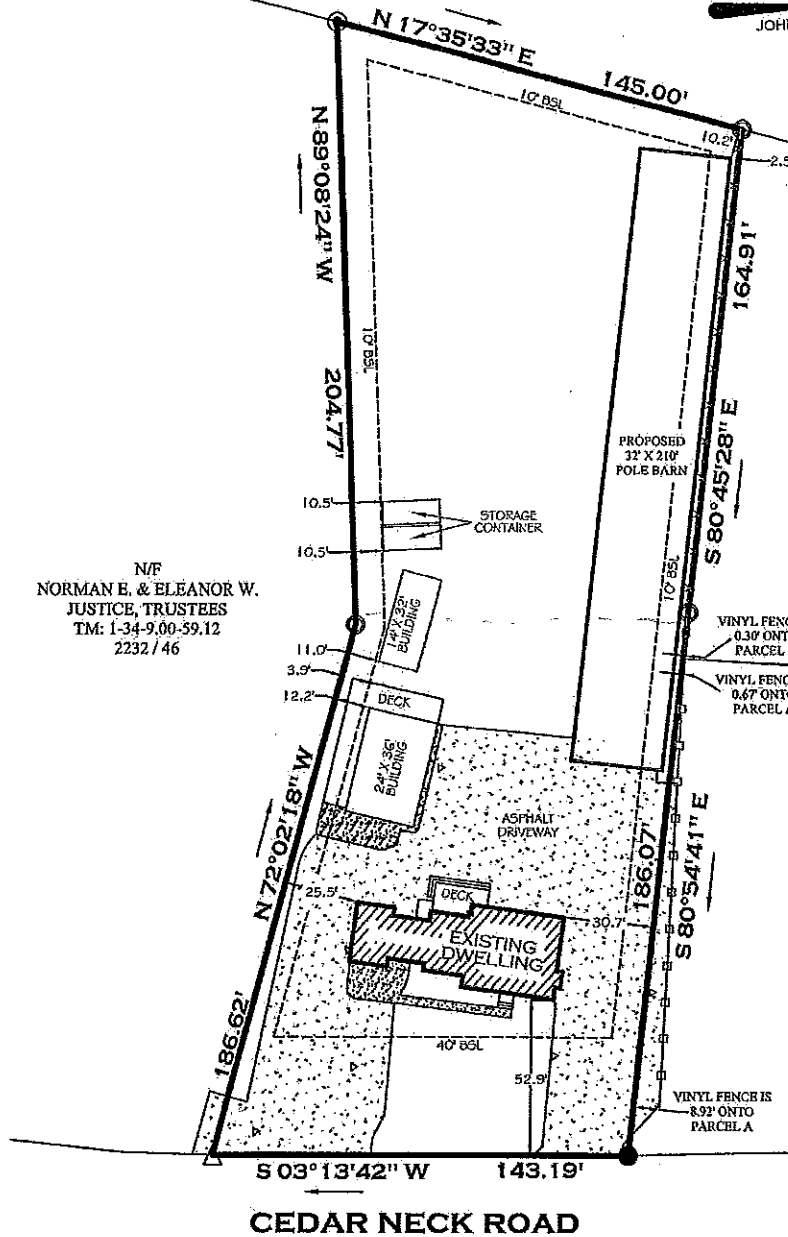
PIN:	134-9.00-67.00
Owner Name	COASTAL PROPERTIES LLC
Book	5026
Mailing Address	30430 CEDAR NECK RD
City	OCEAN VIEW
State	DE
Description	W/OCEAN VIEW
Description 2	QUILLENS PT RD
Description 3	2 LOTS
Land Code	

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



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

N/F
COLLEEN F. & KEVIN W. SAGERS
TM: 1-34-9.00-59.11
3248 / 317



N/F
NORMAN E. & ELEANOR W.
JUSTICE, TRUSTEES
TM: 1-34-9.00-59.12
2232 / 46

PARCEL B

"LAND OF HORACE A.
SAGERS"
SUBDIVISION

PARCEL A

I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL REQUIRE A NEW REVIEW AND CERTIFICATION BY ANY OFFICIAL OR LEGAL USE ONLY.

BRADLEY A. ABSHER, DE PLS # 735
DATE

5.6.2020

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: B1
3. BUILDING SETBACK LINES (BSL)
FRONT 40'
SIDE 10'
REAR 10'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.

4. 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.

TAX MAP	1-34-9.00-67.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	---
AREA	1.08 ACRES ±
DEED REF.	4785 / 136
PLAT REF.	DB. 1665 / 199
DRAWN BY	JJZ
DATE	05 / 06 / 20
SCALE	1" = 50'
SURVEY #	DE - 05269

BOUNDARY SURVEY PLAN

FOR
COASTAL PROPERTIES, LLC

30430 CEDAR NECK ROAD, OCEAN VIEW, DE 19970

LEGEND

- IRON PIPE FOUND
- UTILITY POLE
- ⊙ IRON ROD W/ CAP SET
- △ PK NAIL SET

TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE 302-539-2489
MD: 410-430-2092