

PLANNING & ZONING COMMISSION

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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: 2020-06 Lands of James & Denise Taylor (Taylormade)

Applicant/Owner: James & Denise Taylor
26013 Bethesda Rd.
Georgetown, DE 19947

Site Location: On the south side of Asketum Branch Rd. (S.C.R. 442) approx. 0.21
mile southwest of Bryans Store Rd. (S.C.R. 435)

Current Zoning: AR-1 (Agricultural Residential)

Proposed Use: General Contracting Business

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Mr. Vincent

School District: Indian River School District

Fire District: Georgetown Fire District

Sewer: Septic

Water: Well

Site Area: 8.925 Acres

Tax Map ID.: 133-14.00-3.05





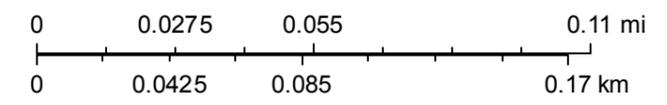
Sussex County



PIN:	133-14.00-3.05
Owner Name	TAYLOR JAMES
Book	5146
Mailing Address	26013 BETHESDA RD
City	GEORGETOWN
State	DE
Description	S/ASKETUM BRANCH RD
Description 2	W/BRYANS STORE RD
Description 3	LOT 6
Land Code	

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

1:2,257





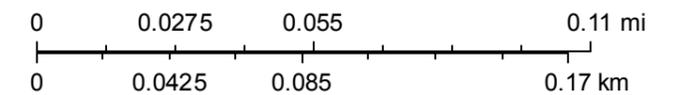
Sussex County



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Description 3	LOT 6
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

1:2,257



Sussex County Major Subdivision 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)

Standard:

Cluster:

ESDDOZ:

Location of Subdivision:

Taylormade CR 442 (Asketum Branch Rd), Georgetown, De 19947

Proposed Name of Subdivision:

Taylormade

Tax Map #: 1-33-14.00 3.05 Total Acreage: 8.925

Zoning: _____ Density: _____ Minimum Lot Size: .75 Number of Lots: 4

Open Space Acres: _____

Water Provider: well Sewer Provider: private (on site)

Applicant Information

Applicant Name: James & Denise Taylor

Applicant Address: 26013 Bethesda Rd.

City: Georgetown State: De Zip Code: 19947

Phone #: 302-858-6066 E-mail: Hubbard9778@gmail.com

Owner Information

Owner Name: James & Denise Taylor

Owner Address: 26013 Bethesda Rd.

City: Georgetown State: De Zip Code: 19947

Phone #: 302 858-6066 E-mail: Hubbard9778@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____

Agent/Attorney/Engineer Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____



Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

- ___ Completed Application
- ___ Provide fifteen (15) copies of the Site Plan or Survey of the property and a PDF (via e-mail)
 - o Plan shall show the existing conditions, setbacks, roads, floodplain, wetlands, topography, proposed lots, landscape plan, etc. Per Subdivision Code 99-22, 99-23 & 99-24
 - o Provide compliance with Section 99-9.
 - o Deed or Legal description, copy of proposed deed restrictions, soil feasibility study
- ___ Provide Fee \$500.00
- ___ Optional - Additional information for the Commission to consider (ex. photos, exhibit books, etc.) If provided submit seven (7) 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.
- ___ PLUS Response Letter (if required)
- ___ 51% of property owners consent if applicable

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 by behalf shall attend all public hearing before the Planning and Zoning Commission 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: 5/20/2020

Signature of Owner



Date: 5/20/2020

For office use only:

Date Submitted: _____ Fee: \$500.00 Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

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

James & Denise Taylor
26013 Bethesda road
Georgetown, De. 19947
302-462-6604
Hubbard9778@gmail.com
RE: Property on Asketum Branch road #1-33-14-3

June 8, 2020

To Whom It May concern:

Thank you for taking the time to review our application for a major subdivision at Lot 6, Asketum Branch Road in Georgetown, Delaware. We recently purchased the land in hopes of being able to subdivide it up to 4 times to give land to our children, who are still in school. We would like to ask to be excluded from the forested buffer requirements and the paved road requirements. As immediate family who would be the individuals to utilize the roads access, I would like to ask that having a paved road can be waived. As for maintenance, the cost of maintaining the road will be shared by the children and ourselves. As for the forested buffer, if our plans are approved three of the lots will be .75 acres in size. They are large sized lots and there will be plenty of distance between the property lines and the buildings built on the properties, as well as distance from neighboring properties.

Thank you for your time and consideration in this matter. Please contact my husband or I with any questions or concerns.

Sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/8/2020**

APPLICATION: **2020-06 Lands of James & Denise Taylor (Taylormade)**

APPLICANT: **James and Denise Taylor**

FILE NO: **WSPA-5.01**

TAX MAP &
PARCEL(S): **133-14.00-3.05**

LOCATION: **On the south side of Asketum Branch Road (SCR 442),
approximately 0.21 mile southwest of Bryans Store Road (SCR
435)**

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

GROSS
ACREAGE: **8.925**

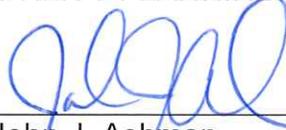
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

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 4**
- (3). Is wastewater capacity available for the project? **No** 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 project is not in an area where the Sussex County Engineering Department has 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



**Coastal Soil
Consultants, Inc.**

25092 Oak Road
Seaford, DE 19973

Phone & Text: (302) 629-2989
Email: jayduke@comcast.net

SITE EVALUATION REPORT PAGE

Owner(s) Name:	Sisters Three, LLC	Tax Map #:	1-33-14-3
		Lot #:	6
Address:	3130 New Campus Ct. Cumming, GA 30041	Phone:	(239) 994-0040
Property Location:	South side of Asketum Branch Road		
Acreage:	8.925 acres±		
Date of Evaluation:	12/21/17		
Central Water Available:	No		
Wooded:	Yes		
2007 SWMP:	None per DNREC Navigator		
FEMA V zone:	None per DNREC Navigator		
HUC 12:	020403030202		

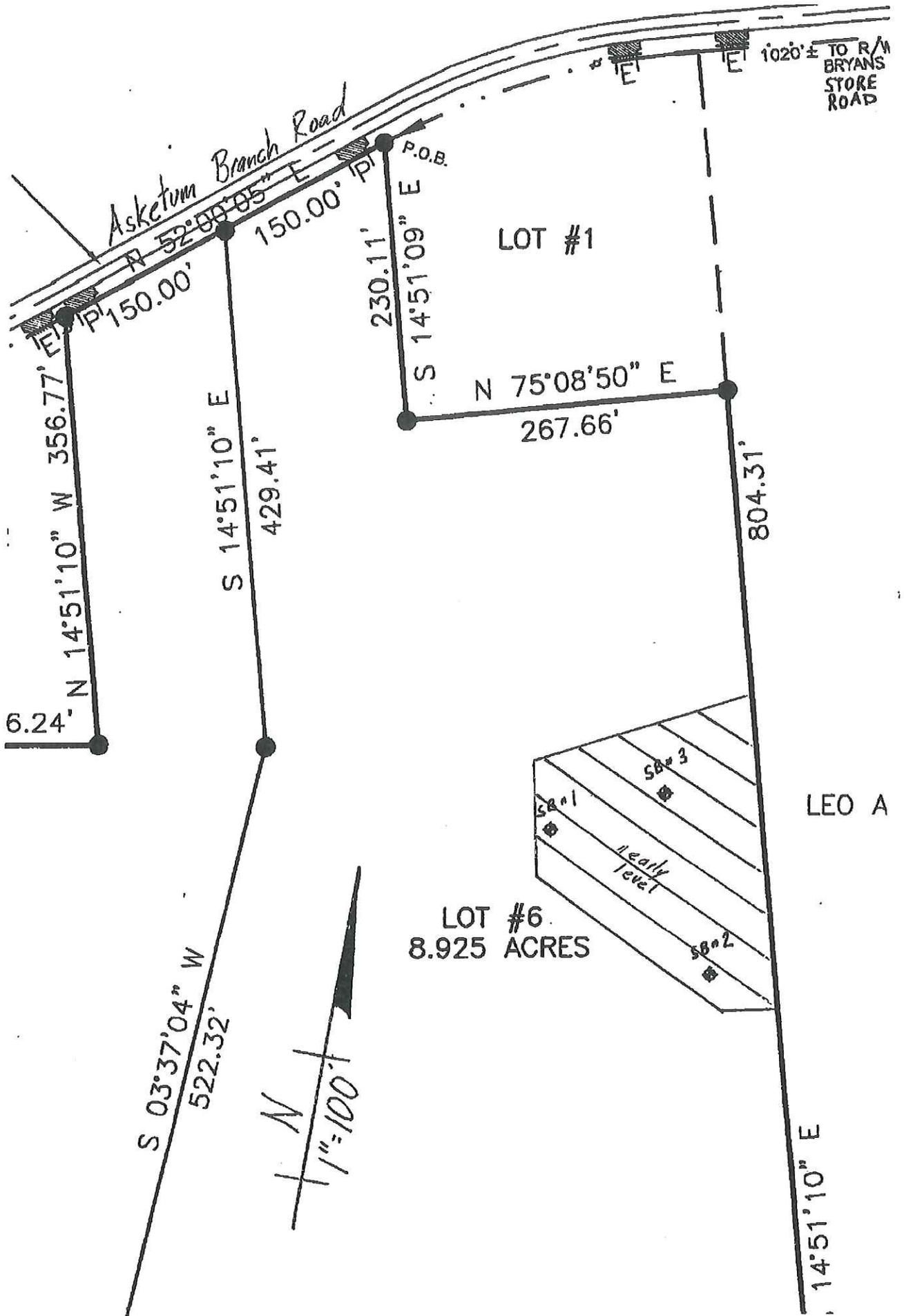
<u>Soil Profile #:</u>	<u>Limiting Zone Depth:</u>	<u>Limiting Zone Inferred From:</u>	<u>Subgroup Taxonomic Classification:</u>	<u>Free Water:</u>
SB #1	20"	redox concentrations	Aquic Hapludult	>60"
SB #2	20"	redox concentrations & depletions	Aquic Hapludult	>60"
SB #3	26"	redox concentrations	Oxyaquic Hapludult	>60"

Summary of Evaluation: This site evaluation was conducted to assess the soil's suitability for siting an OWTDS. The evaluated portion of this parcel occupies a nearly level landscape position of a broad interstream divide that was wooded at the time of this evaluation. The evaluated soils in the vicinity of SBs #1 - #3 (hatched area) are moderately well drained and moderately permeable. The soils in this vicinity meet the current regulatory requirements for an ESM, Peat System or Micro-Irrigation "Drip" OWTDS. *This property is located within the Inland Bays or Chesapeake Bay Watershed; Nitrogen Reducing Technologies meeting PSN3 must be incorporated in the design of the OWTDS.* Miller-Lewis Inc. of Seaford, DE located all soil borings.

Report prepared by: Joseph C. Duke, Jr., CPSS

Date of report: January 10, 2018
Class "D" License #: 4048

Note: Information contained in this Site Evaluation Approval & Report and shown on the accompanying plot plan reflects current Delaware Department of Natural Resources and Environmental Control (DNREC) policies and procedures at the time of evaluation. Changes made to the property or to adjacent properties after the evaluation was conducted may preclude or modify wastewater disposal regardless of site evaluation approval. Data contained in this report may include information obtained from property owners, their agents, residents, adjacent residents, and departmental permits, when readily available. While this information is believed to be accurate, it does not guarantee a wastewater disposal permit and should not be construed as a survey. All information should be verified by interested parties prior to design and installation of the wastewater disposal system. Interpretations made in this evaluation are intended for siting and design of an on-site wastewater disposal system only and are not suitable for other uses. Unless this report has been reviewed and approved by DNREC, it constitutes only a technical opinion rendered and does not constitute an approval for siting or design of any wastewater disposal system on this site.



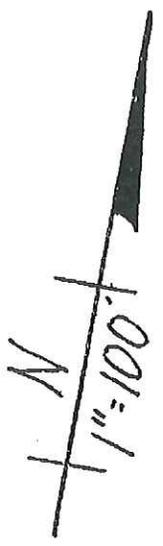
Asketum Branch Road

1020'± TO R/M BRYANS STORE ROAD

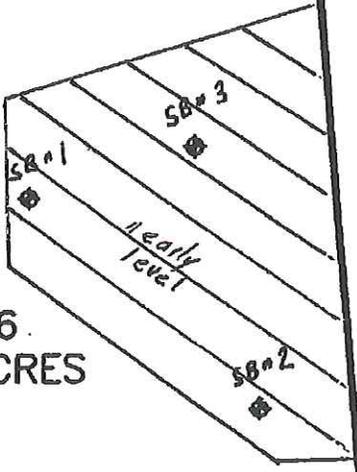
LOT #1

LOT #6
8.925 ACRES

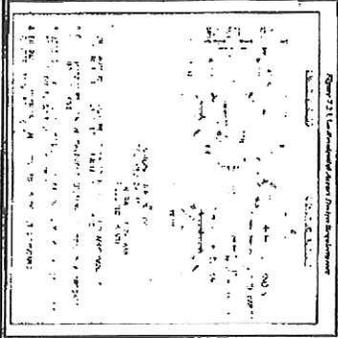
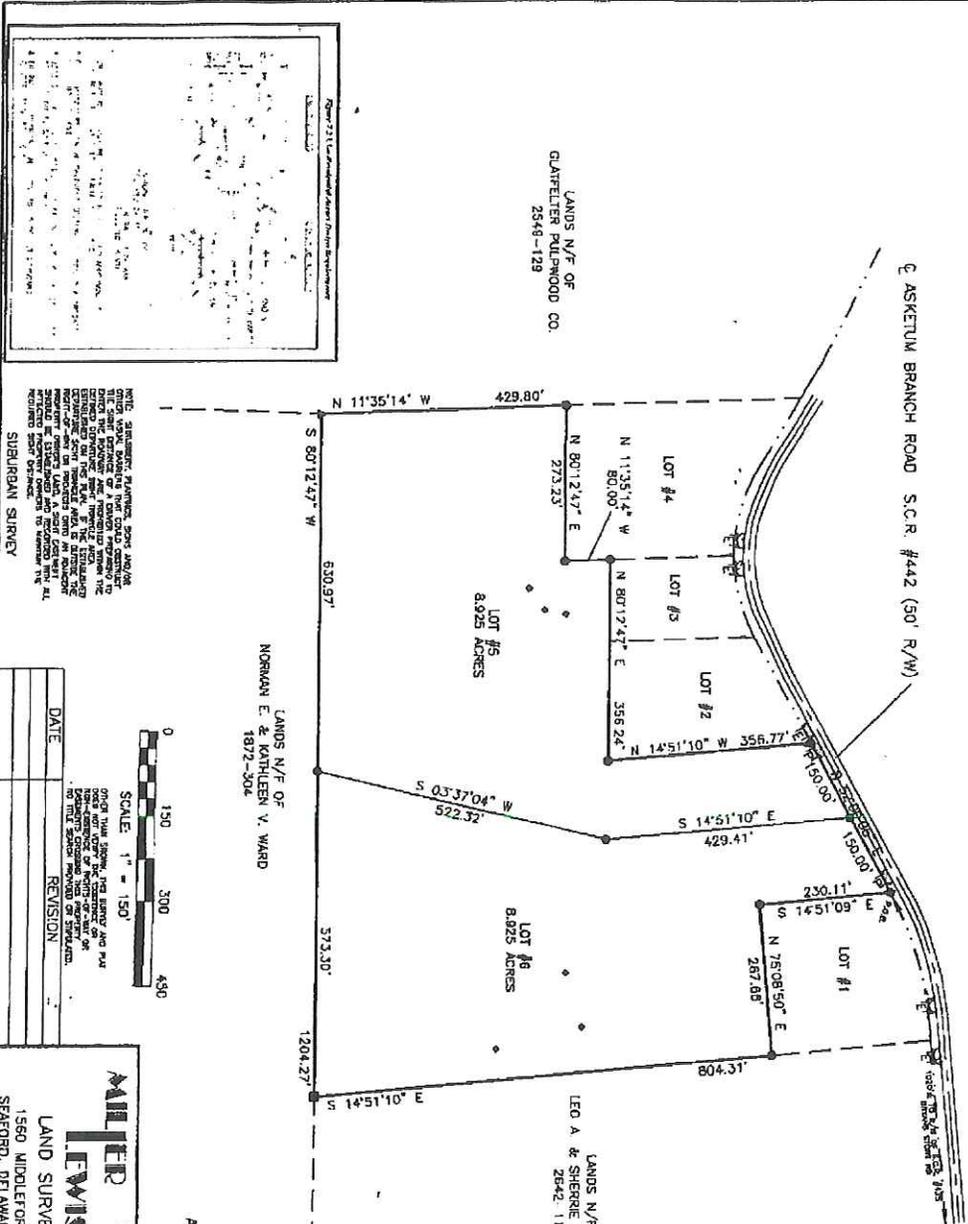
LEO A



6.24' N 14°51'10" W 356.77' E
 150.00' P.I.
 N 52°00'05" E 150.00' P.I.
 S 14°51'10" E 429.41'
 S 03°37'04" W 522.32'
 230.11' S 14°51'09" E P.O.B.
 N 75°08'50" E 267.66'
 804.31'
 14°51'10" E



NOTES:
 1. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO BE FORGED OR OPENED BY THIS MINOR SUBDIVISION SHALL BE REFINISHED BY THE MAJOR SUBDIVISION. THE MAJOR SUBDIVISION SHALL COMPLY WITH THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
 2. THERE IS A FIFTY FOOT BUILDING SETBACK FROM LANDS USED FOR AGRICULTURAL PURPOSES.
 3. A FORTY FOOT SETBACK FROM THE CENTERLINE OF ANY HIGHWAY SHALL BE MAINTAINED.
 4. ANYWAY APPLICABLE SINCE THE PARCEL(S) BEING SUBDIVIDED ARE CONTAINED TO BE USED AS A FARM OR FARMLAND OR IS BEING TRANSFERRED TO A FARM UNIT.



NOTE: SUBDIVISION PLANNING, SURVEYING AND ENGINEERING FIRM HAS CONDUCTED A VISUAL ANALYSIS OF THE PROPOSED SUBDIVISION AND HAS DETERMINED THAT THE PROPOSED SUBDIVISION IS COMPATIBLE WITH THE SURROUNDING LAND USE AND CHARACTER OF THE AREA. THE PROPOSED SUBDIVISION IS SUBJECT TO THE APPROVAL OF THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.

DATE: _____

REVISION: _____

MILLER LEWIS & CO. INC.
 LAND SURVEYING
 1560 MIDDLEFORD ROAD
 SEAFORD, DELAWARE 19873

PHONE 302 628 3333
 FAX 302 628 3331

DATE	DECEMBER 27, 2017
PROJECT	DB 3417-338
OWNER	SISTERS THREE
DESIGNER	D.K. MILLER
DATE	1-33-14-5

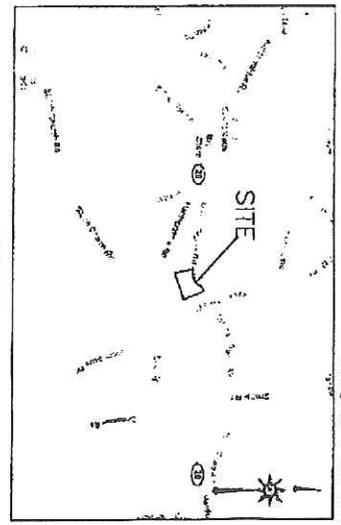
MINOR SUBDIVISION FOR
SISTERS THREE L.L.C.
 ASKETUM BRANCH ROAD, GEORGETOWN, DE 19947

OWNER NAME: _____ DATE: _____

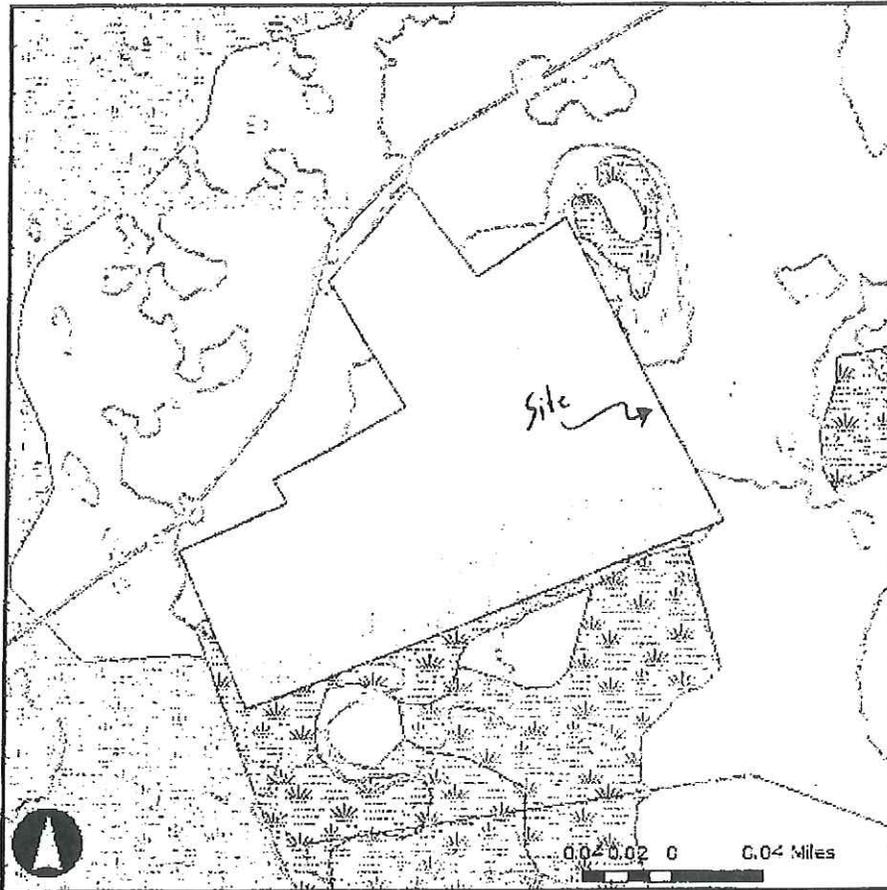
1. THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN ACCORDING TO LAW.

- LEGEND**
- CONCRETE MONUMENT (ROAD)
 - ▲ POINT IN 2" OAK
 - IRON PIPE (SET)
 - UTILITY POLE
 - SOL BURNING
 - ⊠ EXISTING ENTRANCE
 - ⊡ PROPOSED ENTRANCE

DATA COLLINGS:
 OWNER: SISTERS THREE, L.L.C.
 3130 NEW CAMPUS CT.
 CUMMING, GA 30041
 TAX PARCEL: # 1-33-14-5
 ZONING: AG-1
 FORM: 1 OF LOTS 2
 PROPOSED USE: RESIDENTIAL
 ROADWAY CLASSIFICATION: LOCAL
 ACCESS: S.C.R. #442 (ASKETUM BRANCH ROAD)
 WATER AND SEWER: INDIVIDUAL ON-SITE
 100 YEAR FLOODPLAIN: SHE IS NOT IMPACTED
 AS PER FIRM #1005050506 DATED 3/16/15
 THIS PROJECT IS NOT IN THE PROXIMITY OF A TID
 SPEED LIMIT ON WEST BALLOT'S DAM RD. IS 50MPH (UNPOSTED)



Map



Parcels Sussex

- Parcels Sussex
- Tax Ditch Segments
- 1 - 989
- 990
- 991 - 993
- 994 - 999
- Tax Ditch Maximum ROWs
- Extent of Right-of-Way
- Tax Ditch Areas
- Approx. Watershed Boundary
- FEMA Flood Maps
- X 500
- A
- AE
- AO
- VE

State Wetlands 2007

- Agriculture
- Estuarine Non-Vegetated
- Estuarine Vegetated
- Lacustrine
- Marine Non-vegetated
- Palustrine Emergent
- Palustrine Forested
- Palustrine Forested Deciduous
- Palustrine Forested Evergreen
- Palustrine Open Water/ Flats
- Palustrine Open Water/Flats
- Palustrine Scrub/Shrub

State Wetlands 2007 (continued)

- Palustrine Scrub/shrub
- Palustrine Tidal Emergent
- Palustrine Tidal Forested
- Palustrine Tidal Forested
- Palustrine Tidal Scrub/Shrub
- Riverine Non-vegetated
- Riverine Vegetated

Copyright DNREC 2009

Copyright Delaware Department of Natural Resources and Environmental Control, 2009



25092 Oak Road
Seaford, DE 19973

Consultants, Inc.

Phone & Text: (302) 629-2989
Email: jayduke@comcast.net

Soil Profile Note Page

Property Owner: Sisters III Date: 12/21/2017
Property Location: Asketum Branch Rd Lot # 6

Soil Boring#: 1 Slope: 0-1 % Relief: nearly level
Estimated Permeability: 60 MPI Limiting Zone: 20" to redox conc.
Taxonomic Classification: Argic Hapludult Free Water: >60"
GPS: N 38° 36 ' 4.95 " W 75° 24 ' 56.92 "

Horizon	Depth below soil surface	Matrix Color	Mottles	Ab. S. Con.	Texture	Structure	Const.
A	0 - 4	10YR 4/2	—	—	fsl	2mg	f
E	4 - 20	10YR 4/2	—	—	fsl	1msbk	f
Bt	20 - 30	10YR 4/4	7.5YR 4/6-7/6	22P	sl	2msbk	f
C _g	30 - 60	11YR 5/2	10YR 4/6	C1P	fsl	m	f
-	-	-	-	-	-	-	-

Soil Boring#: 2 Slope: 0-1 % Relief: nearly level
Estimated Permeability: 80 MPI Limiting Zone: 20" to redox depth conc.
Taxonomic Classification: Argic Hapludult Free Water: >60"
GPS: N 38° 36 ' 4.25 " W 75° 24 ' 55.93 "

Horizon	Depth below soil surface	Matrix Color	Mottles	Ab. S. Con	Texture	Structure	Const.
A	0 - 4	10YR 4/2	—	—	lc	2mg	f
E	4 - 20	2.5Y 4/3	—	—	sl	1msbk	f
Bt ₁	20 - 40	10YR 7/6	10YR 4/2 7.5YR 4/3	22P	sl	2msbk	f
Bt ₂	40 - 50	10YR 7/2	7.5YR 4/6-7/6	C1P	sid	m	f
C _g	50 - 60	10YR 7/2	7.5YR 4/6	20	sl	m	f
-	-	-	-	-	-	-	-

38° 36' 5.44 N
75° 24' 55.80 W

J.C. Duke

Joseph C. Duke, Jr. CPSS, Class D License #: 4048

SB#3 = similar to SB#1,
26" to redox conc, 40mpi, Oxyaquic Hapludult, FW >60"

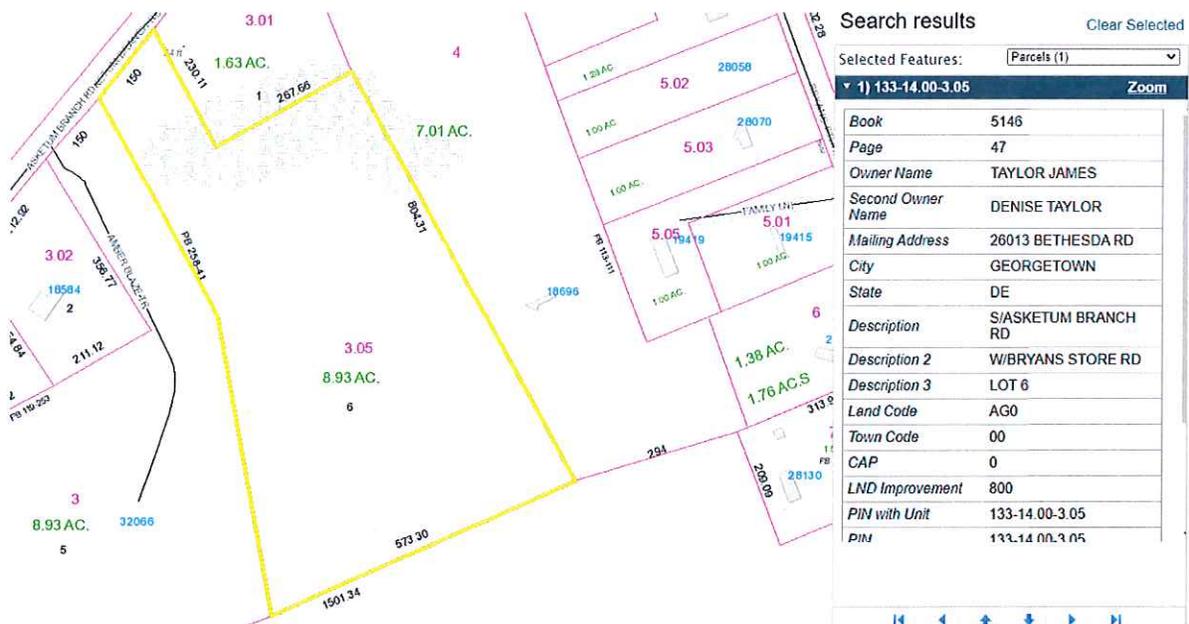
September 16, 2020

RE: 2020-06 Lands of James & Denise Taylor

To Whom it May Concern,

The Lands of Taylor subdivision request dividing Lot 6 (133-14.00-3.05) of the Sisters Three LLC lots into a further 4 lots raises some concerns.

- 1) The lands are under deed restrictions (filed October 27, 2015 DEED Book 4462 page 173) that restrict clearing of trees within 30' of property lines.
The letter from Denise Taylor dated June 8, 2020 is requesting exemption from the forested buffer requirements for subdivision of land: Sussex County Code Chapter 99-5. The deed restrictions are more restrictive than the County Code requirements of 20' Forested Buffer.
- 2) The entire width of the 150' roadway frontage, and most of the proposed Lot 1 are wetlands. Please note the Sussex County map below.

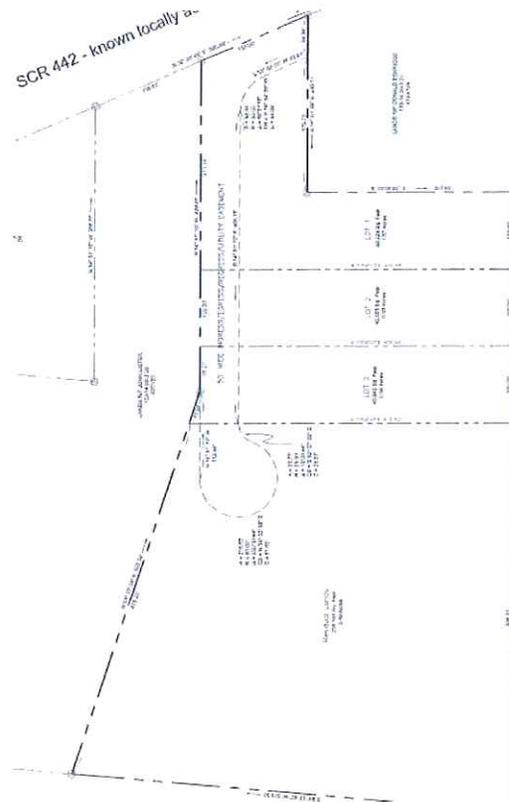
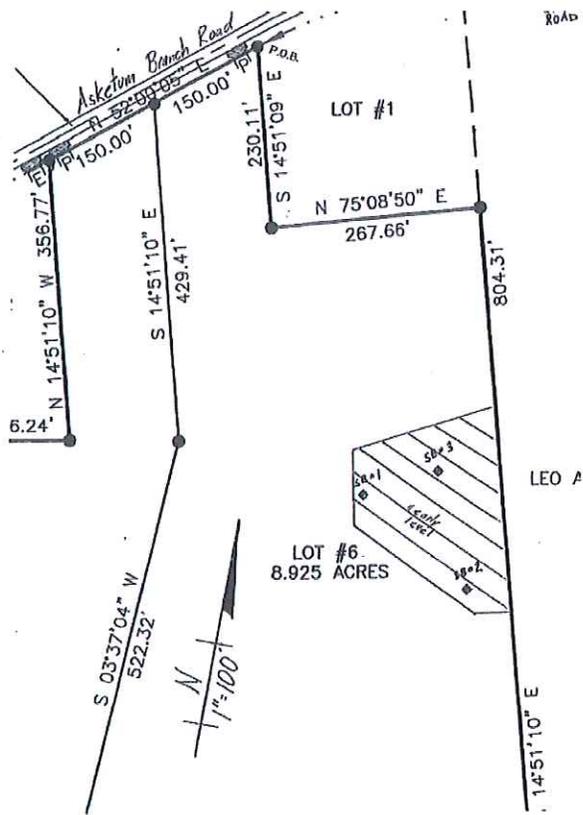


- 3) The soil percolation tests conducted by Coastal Soils dated January 2018 indicate elevated mound septic in an area that would be located on the proposed Residual Lands and a small section of proposed Lot 3. There are currently no soil borings on located on proposed Lot 1 or 2. Note images below

RECEIVED

SEP 18 2020

SUSSEX COUNTY
PLANNING & ZONING



It is requested that all current deed restrictions on the Lands of James & Denise Taylor 133-14.00-3.05 be transferred to any proposed new lots/residual lands, including the forested buffer requirements and the county code requirement of forested buffer – including on the west side of the ingress/egress.

Thank you for your time.

Rachael

