

## 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  
DIRECTOR

### PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date July 8<sup>th</sup>, 2021

Application: Lands of Kathy Lingo (2021-16)

Applicant: Kathy Lingo  
34118 Caitlins Court  
Lewes, DE 19958

Owner: Kathy Lingo  
34118 Caitlins Court  
Lewes, DE 19958

Site Location: 22888 E Trap Pond Road

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: 1 Single Family Lot as a Standard Subdivision

Comprehensive Land  
Use Plan Reference: Developing Area

Councilmanic  
District: Ms. Green

School District: Indian River School District

Fire District: Georgetown Fire Company

Sewer: On-Site Septic

Water: Private Well

Site Area: 3.59 +/- acres

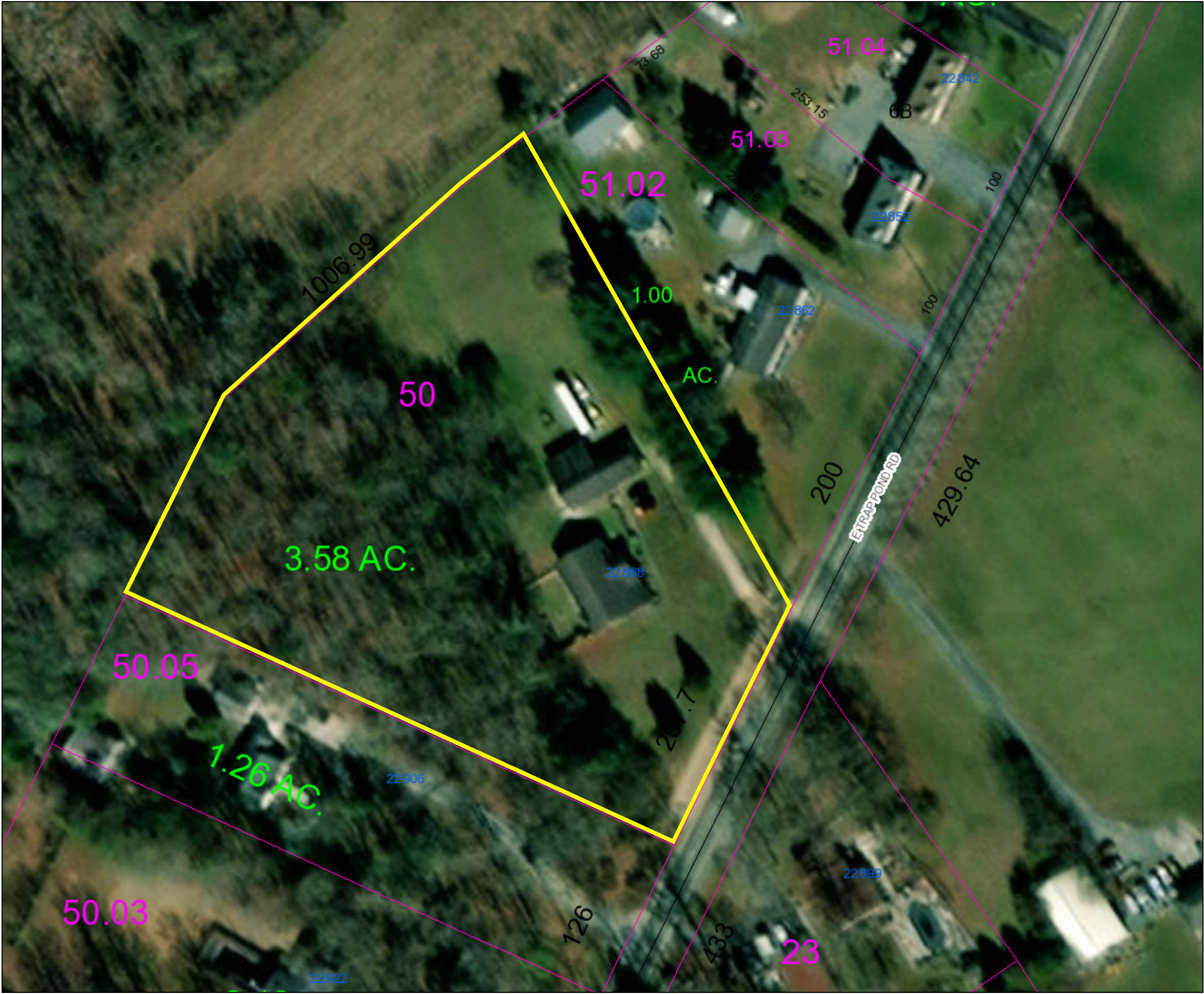
Tax Map ID.: 135-19.00-50.00







Sussex County



PIN:	135-19.00-50.00
Owner Name	LINGO KATHY M
Book	2110
Mailing Address	34118 CAITLINS COR
City	LEWES
State	DE
Description	W/RT 62 2300'
Description 2	S/RT 469
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

- Tax Parcels
- 911 Address

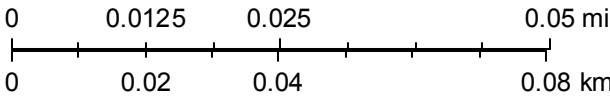
Streets

County Boundaries

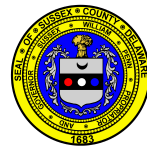
Flood Zones 2018

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- OPEN WATER
- VE
- Municipal Boundaries

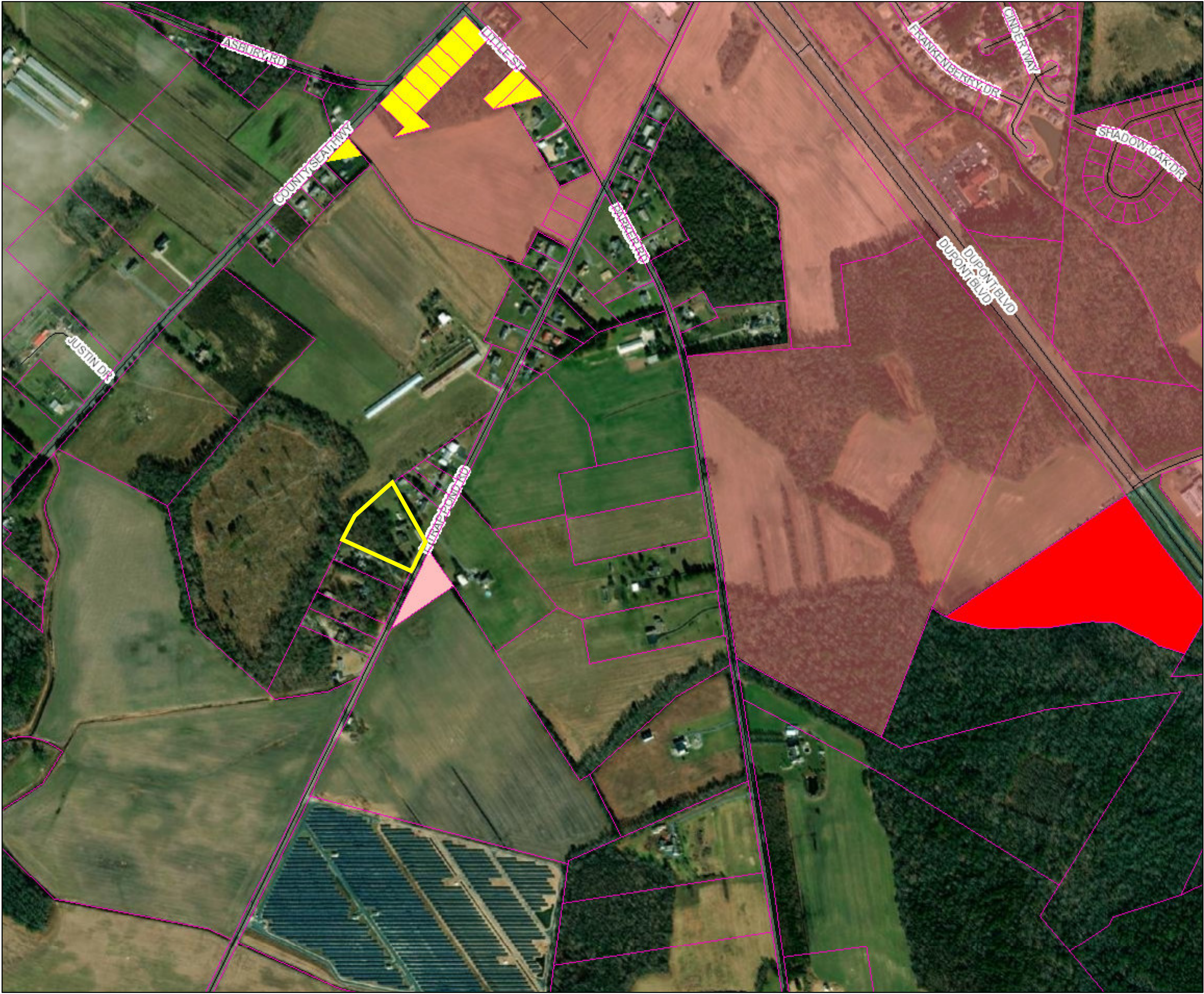
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Sussex County

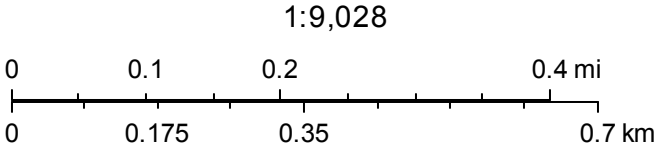


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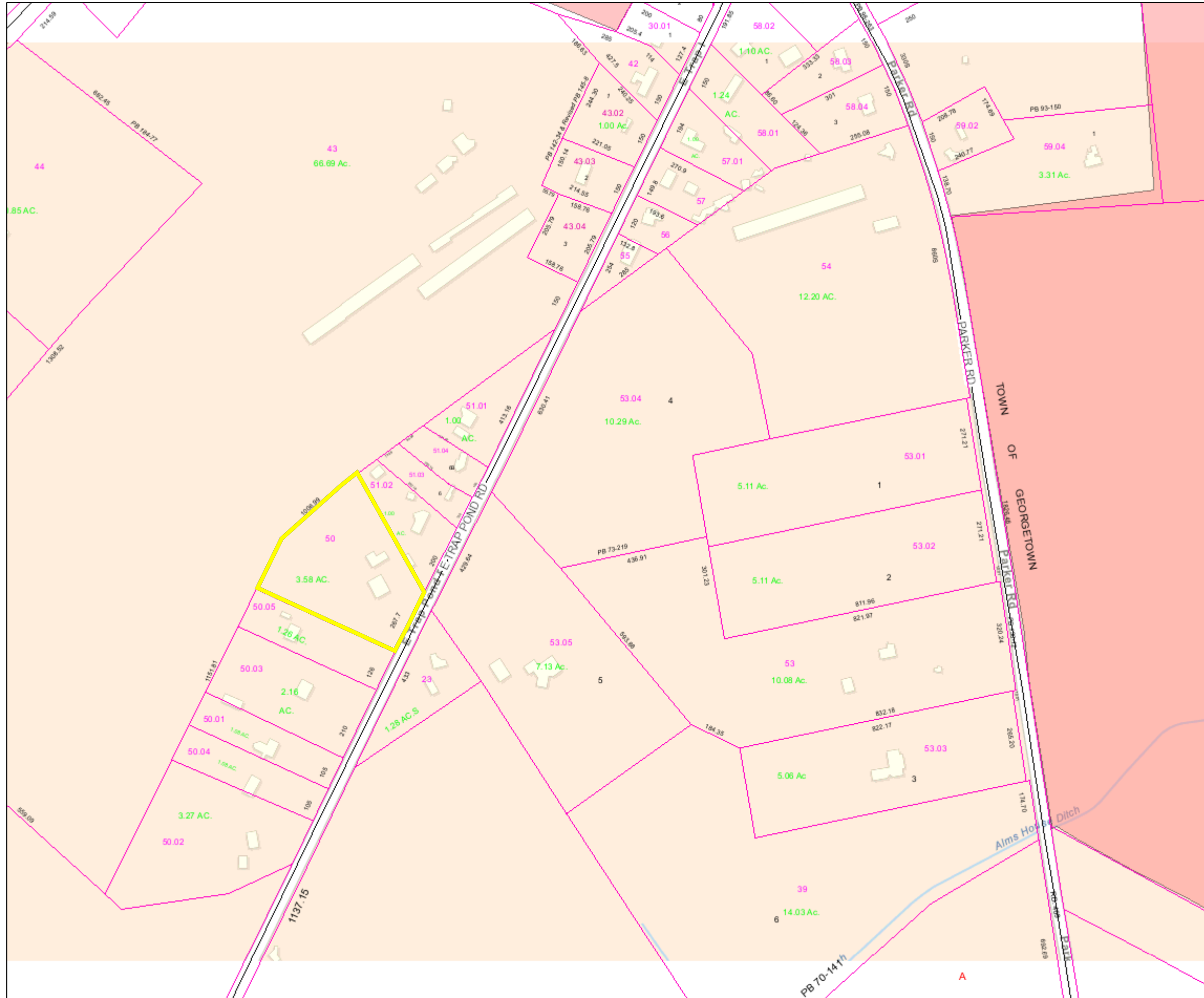
Override 1
- Tax Parcels
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# Sussex County



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## polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

## Flood Zones 2018

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

A

AE

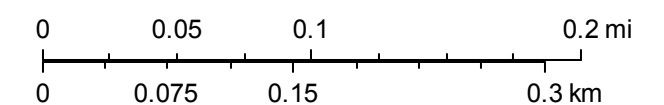
AO

OPEN WATER

VE

Municipal Boundaries

1:4,514



File #: 2021-16

Pre-App Date: \_\_\_\_\_

## Sussex County Major Subdivision Application

202105529

### 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: ☐

Coastal Area: ☐

#### Location of Subdivision:

Trap Pond Road, Georgetown, Delaware 19947

#### Proposed Name of Subdivision:

Kathy Lingo

Tax Map #: 135-19.00-50.00

Total Acreage: 3.59 Acres

Zoning: AR-1

Density: 7.8

Minimum Lot Size: 3/4 AC

Number of Lots: 2

Open Space Acres: 63.48

Water Provider: On Site Well

Sewer Provider: On Site Septic

#### Applicant Information

Applicant Name: Kathy Lingo

Applicant Address: 34118 Caitlins Court

City: Lewes

State: DE

Zip Code: 19958

Phone #: 302-745-2836

E-mail: Kathy.lingo@gmail.com

#### Owner Information

Owner Name: Kathy Lingo

Owner Address: 34118 Caitlins Court

City: Lewes

State: DE

Zip Code: 19958

Phone #: (302) 745-2836

E-mail: kathylingo@gmail.com

#### Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: John Roach, PE

Agent/Attorney/Engineer Address: 22184 Melson Road

City: Georgetown

State: DE

Zip Code: 19947

Phone #: (302) 856-1565

E-mail: jbroachengr@aim.com



## Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

☒ **Completed Application**

☒ **Provide ten (10) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**

- 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**
- Provide compliance with Section 99-9.
- 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.**

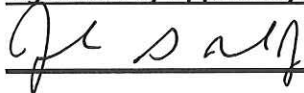
☐ **PLUS Response Letter** (if required) ☐ **Environmental Assessment & Public Facility Evaluation Report** (if within Coastal Area)

☐ **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.

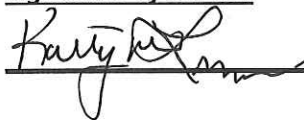
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety,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

**Signature of Applicant/Agent/Attorney**



Date: 4/12/2021

**Signature of Owner**



Date: 4-12-2021

**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: \_\_\_\_\_

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **6/25/2021**

APPLICATION: **2021-16 Lands of Kathy Lingo**

APPLICANT: **Kathy Lingo**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **135-19.00-50.00**

LOCATION: **22888 East Trap Pond Road**

NO. OF UNITS: **1 single-family lot**

GROSS  
ACREAGE: **3.59**

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? **Municipal Growth & annexation Area**
- (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? **No** 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 subdivision of land is within the Growth and Annexation of the Town of Georgetown. Contact the Town concerning the availability of sewer and/or water.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

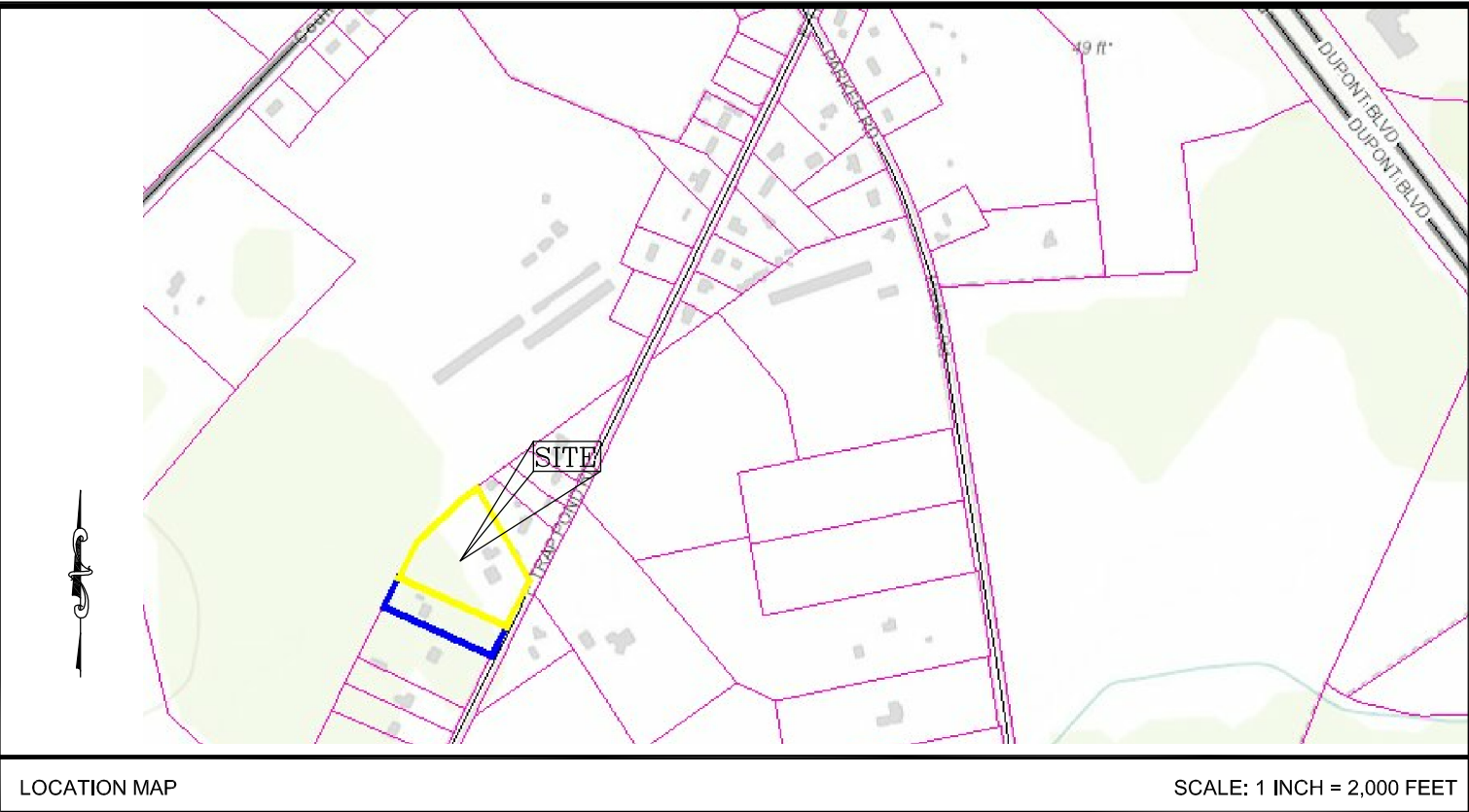
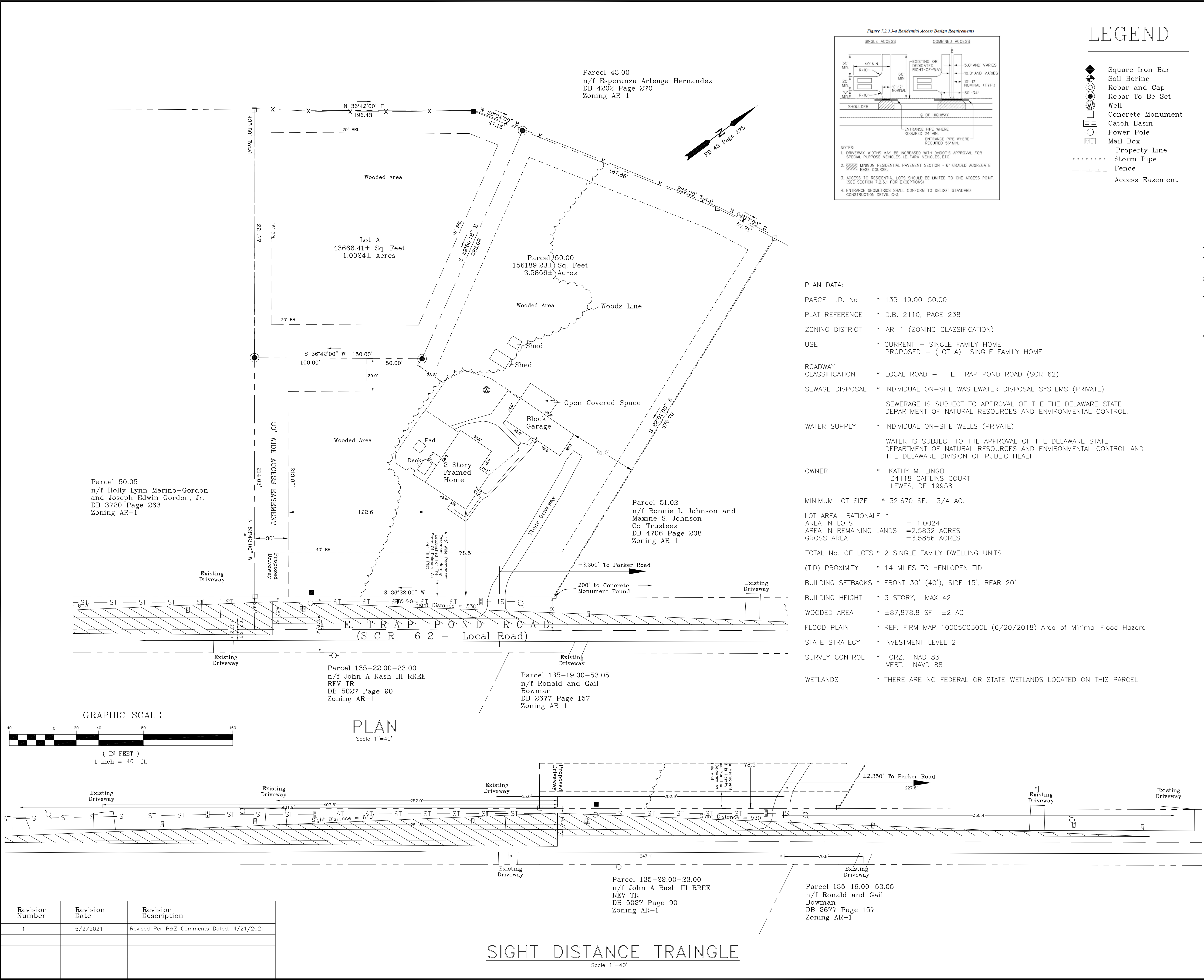
UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman  
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.  
Lisa Walls  
No Permit Tech Assigned





- DELDOT NOTES:
1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
  2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
  3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT OF WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
  4. PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 §131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.

OWNER'S CERTIFICATION

I HEREBY CERTIFY THAT I AM THE LEGAL OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

Kathy M. Lingo  
34118 Caitlins Court  
Lewes, DE 19947

ENGINEER'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

JOHN B. ROACH, JR., P.E.

SUSSEX COUNTY COUNCIL PRESIDENT

SUBDIVISION PLAN

FOR PROPERTY KNOWN AS:  
LANDS OF "KATHY M. LINGO"  
ALSO KNOWN AS:  
22888 EAST TRAP POND ROAD, GEORGETOWN, DE  
SITUATE IN:  
GEORGETOWN HUNDRED \* SUSSEX COUNTY  
STATE OF DELAWARE  
TAX MAP#: 135-19.00-50.00

**JOHN B. ROACH**  
Engineering LLC

22184 WELSON ROAD  
GEORGETOWN, DELAWARE 19947  
PHONE NO. 302-856-1565

Drawn By: JBR  
Scale: 1"=40'

Date: 11-23-2020  
Sheet 1/1



Ms. Jamie Whitehouse

Director – Sussex County Planning & Zoning

2 The Circle

PO Box 589

Georgetown, DE 19947

RE: Lands of Kathy Lingo

Sussex County Tax Map Number 135-19.00 Parcel 50.00

Mr. Whitehouse,

In accordance with Sussex County Planning and Zoning Commission requirements I am submitting this narrative which addresses the items listed in Section 99-9 (C) of the Sussex County Planning and Zoning Code. Please find the narrative broken down per item.

**(1) Integration of the proposed subdivision into the existing terrain and surrounding landscape.**

The existing neighborhood consists of residential parcels with neighboring homes along Trap Pond Road. The new lot and its use is consistent with the lot sizes and uses currently in place in the neighborhood.

**(2) Minimal use of wetlands and floodplains.**

According to FEMA Flood Insurance Rate Map 10005C0300L there are no floodplains identified on this site. Also there are no wetlands identified on this Parcel.

**(3) Preservation of natural and historical features.**

All natural and historical features will be preserved for this subdivision.

**(4) Preservation of Open Space and Scenic Views.**

All open spaces and scenic views will be preserved for this subdivision.

**(5) Minimization of tree, vegetation, and soil removal and grade changes.**



In keeping with the character of the neighborhood, the lot will be constructed which minimize the removal of soil. Since the new lot currently is an area with natural trees, tree or vegetation clearing is anticipated although this will be kept at a minimum to preserve the character of the neighborhood. The excavation for the access lane, driveway and home are anticipated. The remaining areas will be sowed in grass. It is anticipated that this change will not increase runoff for the site.

**(6) Screening of objectionable features from neighboring properties and roadways.**

There are no objectionable features anticipated for this property. The existing tree line will provide a natural screening from the neighbors and the roadway.

**(7) Provision for water supply.**

The new lot owner will provide potable water through their own private well.

**(8) Provision for sewerage disposal.**

The new lot owner will provide an individual onsite sewerage disposal drain field.

**(9) Prevention of pollution of surface and groundwater.**

Surface pollution will be prevented by using the proper Stormwater prevention measures as dictated by the Sussex Conservation District. After construction of the home sites, the grass planted by each homeowner will provide a natural pollution prevention method. Sewage disposal tanks provided in the septic installation will be the method used to prevent pollution from the septic of the home.

**(10) Maximization of the erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding and design of drainage so that groundwater recharge is maximized.**

**Maximization of the erosion and sedimentation-** Since there is 1 lot being developed much like a minor subdivision, minimum requirements will be needed from the regulatory agencies.

**Minimization of changes in groundwater levels-** Since there is 1 lot being developed much like a minor subdivision, minimum requirements will be needed from the regulatory agencies.

**Minimization of potential for flooding and design of drainage so that groundwater recharge is maximized-** Since there is 1 lot being developed much like a minor subdivision, minimum requirements will be needed from the regulatory agencies.

**(11) Provisions for safe vehicular traffic and pedestrian movement within the site and to adjacent ways.**

The new lot is to be serviced by an access road which will run to an L shaped turn around. This access road will service only the 1 lot. Except for deliveries, there will be minimum impact on the main road. The entrance for the road will be reviewed by the Delaware Department of

Transportation. Since there is 1 lot being developed and the lot is in a rural setting, there will be minimum pedestrian movement.

**(12) Effect on area property values.**

Since the adjacent lots are of similar size, the subdivision will have insignificant impact on the surrounding property values.

**(13) Preservation and conservation of farmland.**

Since the new lot is currently in a wooded area, there will be no impact affecting the preservation or conservation of farmland.

**(14) Effect on schools, public buildings and community facilities.**

Since there is 1 lot being developed much like a minor subdivision, there will be minimum effect on schools, public buildings and public transportation.

**(15) Effect area roadways and public transportation.**

Since there are 1 lot being developed, there will be minimum effect on the area roadways and public transportation.

**(16) Compatibility with other area land uses.**

The predominant land use in the area is agricultural and residential. With this in mind, the 1 lot subdivision fits well with the other area land uses in the area.

**(17) Effect on area waterways.**

There are no waterways in the area that will be affected.





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

April 26, 2018

RE: Lands of Kathy Lingo  
Sussex County Tax Map Number 135-19.00 Parcel 50.00

Mr. Whitehouse,

A site plan has been submitted to Sussex County Planning and Zoning which requests that the existing 3.59 acre parcel be subdivided a 1 acre lot from the larger parcel. It is our understanding that since there is no definitive access road, the new access road will need to be built using the Sussex County Major Subdivision standards. Since there is 1 lot involved with the residual land having an existing entrance in place (much like a minor subdivision), we would like to request that the major subdivision standards be waived. We propose the new access road to be built using a common driveway crosssection which would be 14 feet wide. This would include stripping the topsoil in the road area and installing 6 inches of select borrow and 3 inches of stone base. We believe these specifications to be sufficient to service the 1 lot.

Also we would like to request relief of the 1 foot contours required to be shown on the site plan as well as the grading plan requirement.

Since there is an existing tree line within this property, we would like to request a waiver of the forested and / or landscaped buffer strip requirements as defined in the Sussex County Planning and Zoning Code, Section 99-5. Please confirm or let me know if you any questions or concerns.

Sincerely,

John B Roach, Jr.

John B Roach Engineering, LLC