

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

PLANNING & ZONING COMMISSION

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



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PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: October 14th, 2021

Application: CU 2265 Pro Carpet, LLC

Applicant: Pro Carpet, LLC
26315 Miller Street
Millsboro, DE 19966

Owner: Pro Carpet, LLC
26315 Miller Street
Millsboro, DE 19966

Site Location: southeast side of Miller St. approximately 0.16-mile northeast of Mount Joy Road (S.C.R. 297)

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

Proposed Use: Carpet Business

Comprehensive Land Use Plan Reference: Low Density

Councilmanic District: Mr. Schaeffer

School District: Indian River School District

Fire District: Millsboro Fire Department

Sewer: Septic

Water: Well

Site Area: 0.52 acres +/-

Tax Map ID.: 234-21.00-189.00





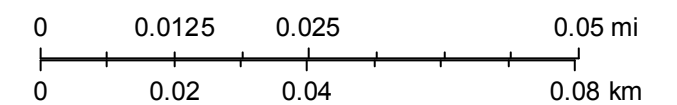
Sussex County



PIN:	234-21.00-189.00
Owner Name	PRO CARPET LLC
Book	4692
Mailing Address	26315 MILLER ST
City	MILLSBORO
State	DE
Description	CORDREY
Description 2	LOT A7
Description 3	CT#47704
Land Code	

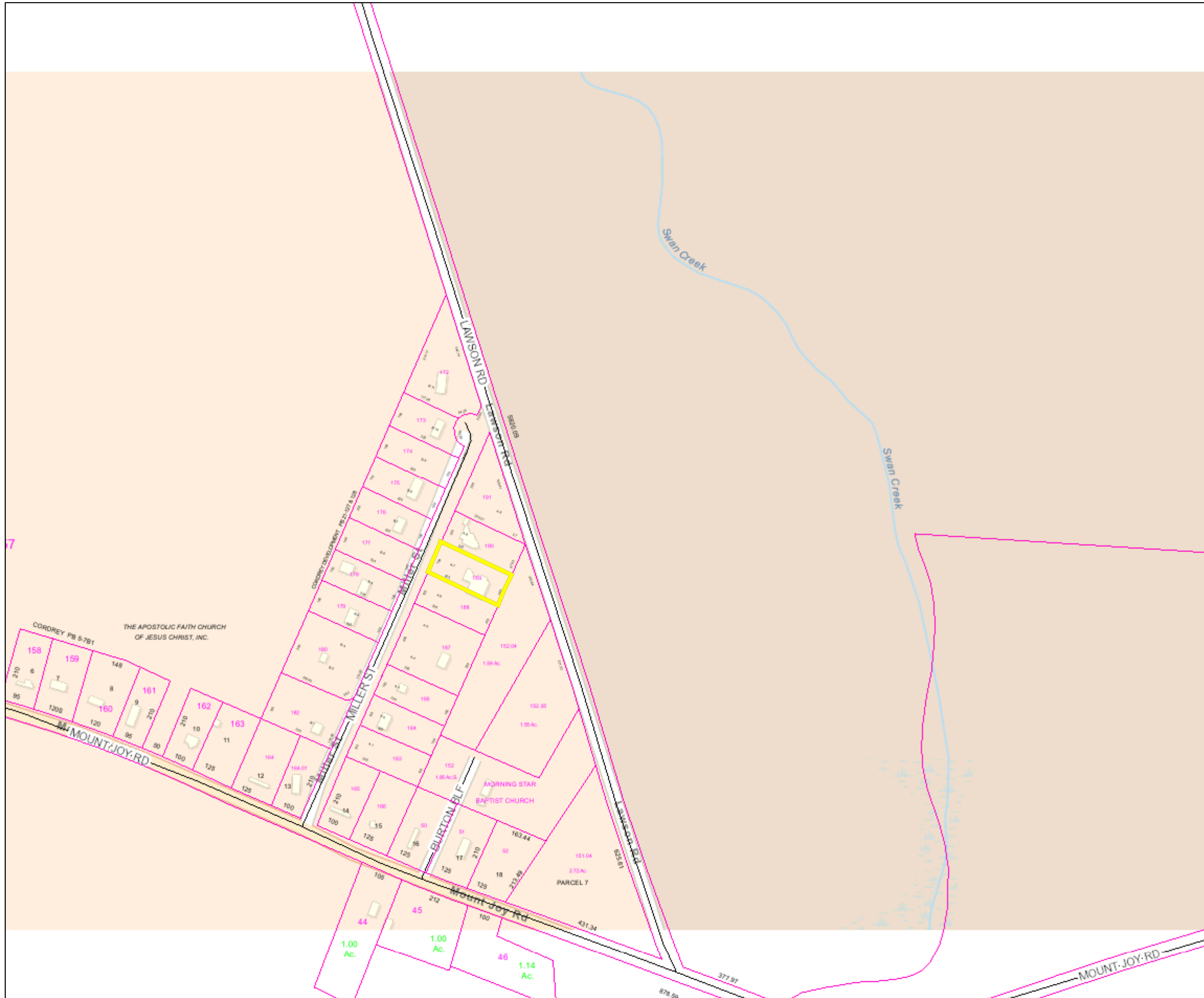
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- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Tax Ditch Segments**
- Tax Ditch Channel
- Pond Feature
- Special Access ROW
- Extent of Right-of-Way
- Municipal Boundaries
- TID

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Sussex County



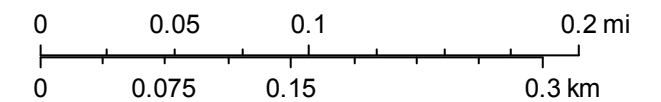
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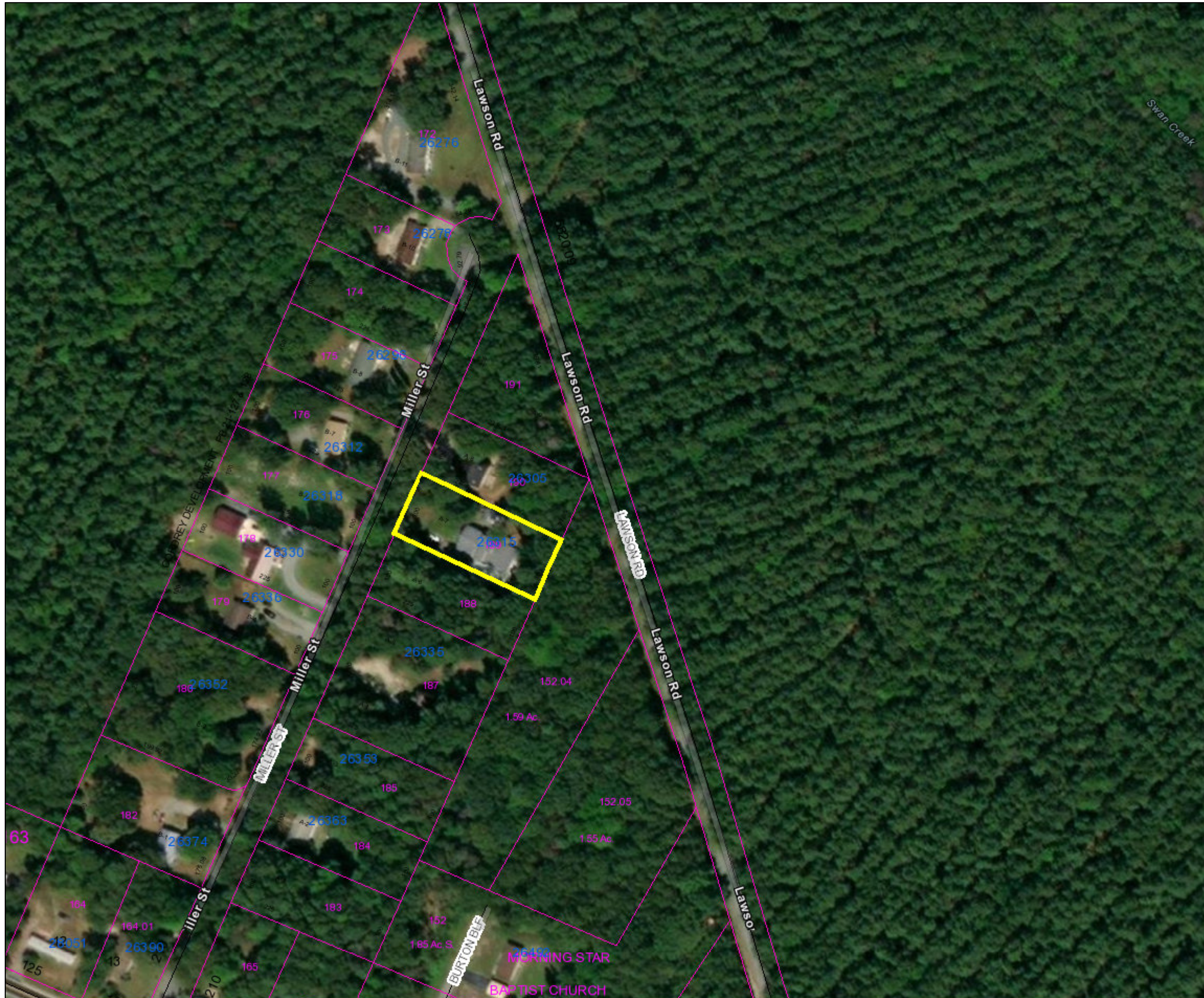
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 - Streets

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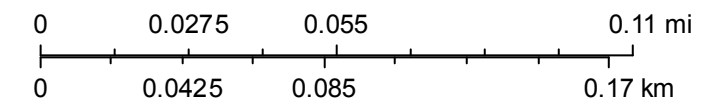
Sussex County



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- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
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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: October 7, 2021
RE: Staff Analysis for CU 2265 Pro Carpet, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2265 Pro Carpet, LLC to be reviewed during the October 14, 2021 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: 234-24.00-189.00 to allow for a carpet business. The parcel lying on the east side of Miller Street, approximately 0.16 mile north of Mount Joy Road (S.C.R. 297). The parcels consist of 0.52 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 parcel has a designation of "Low Density". The surrounding and adjacent parcels to the east and west as well as the north and south also contain the "Low Density" Future Land Use Map designation. Parcels further to the east have a designation of "Coastal Area".

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density areas are intended to support agricultural uses and low-density single-family housing. Specifically, the Comprehensive Plan states that single family homes have a density of up to two dwelling units to the acre. It is envisioned that the Low Density Areas allow for businesses that support nearby residents and the agricultural economy. More intense commercial uses could be limited in scale and impact. While residential growth is expected, the Comprehensive Plan intends for the rural landscape to be maintained and for farmland to be preserved in select locations.

The subject property is zoned Agricultural Residential (AR-1). The adjacent properties surrounding the subject site are also zoned Agricultural Residential (AR-1). There are multiple properties further west and east that are zoned General Residential (GR).

Since 2011, there has been one (1) Conditional Use application within a 1-mile radius of the application site. The application was for Conditional Use No. 2186 Mountaire Farms of Delaware, Inc. to allow sludge and wastewater spray irrigation to be located within an Agricultural Residential (AR-1) and General Residential (GR) Zoning District. This application was approved by the Sussex County Council on February 18, 2020. This change was adopted through Ordinance No. 2706.



Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow for a carpet business, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

Planning & Zoning Commission Application

Sussex County, Delaware

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

Type of Application: (please check applicable)

Conditional Use
Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

Type of Conditional Use Requested:

for employ's parking at the house and use of the house
Tax Map #: 234-21.00-189.00 Size of Parcel(s): _____

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

Land Use Classification: parking for employ's and use of the house

Water Provider: well Sewer Provider: septic

Applicant Information

Applicant Name: JUAN FRANCISCO IZARA
Applicant Address: 96296 Miller St
City: Millsboro State: DE Zip Code: 19966
Phone #: 443-757-7320 E-mail: frankizara@hotmail.com

Owner Information

Owner Name: PRO CARPET LLC
Owner Address: 26315 Miller St
City: Millsboro State: DE Zip Code: 19966
Phone #: 443 757 7320 E-mail: procarpetllc@outlook.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 Planning & Zoning Applications

The following shall be submitted with the application

___ Completed Application

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

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

___ Provide Fee \$500.00

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

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


___ DeIDOT Service Level Evaluation Request Response

___ PLUS Response Letter (if required)

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


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

Signature of Applicant/Agent/Attorney



Date: 11-23-2020

Signature of Owner



Date: 11-23-2020

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____



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

December 23, 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 **Juan Fizara / Pro Carpet, LLC** conditional use application, which we received on November 24, 2020. This application is for an approximately 0.51-acre parcel (Tax Parcel: 234-21.00-189.00). The subject land is located on the east side of Miller Street, approximately 800 feet north of Mount Joy Road (Sussex Road 297), northeast of the Town of Millsboro. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to allow employees to park their vehicles and utilize the residential property.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Mount Joy Road where the subject land is located, which is from Hollyville Road (Sussex Road 305) to Cannon Road (Sussex Road 307), is 3,359 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DeIDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DeIDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be diminutive 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 diminutive with regard to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

If the County approves this application, the applicant should be reminded that DeIDOT 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
December 23, 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: Juan Fizara / Pro Carpet, LLC, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Steve McCabe, 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 & DESIGN REVIEW DIVISION
C/U & C/Z COMMENTS**

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/23/2021**

APPLICATION: **CU 2265 Pro Carpet LLC**

APPLICANT: **Pro Carpet LLC**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **234-21.00-189.00**

LOCATION: **Southeast side of Miller Street, approximately 0.16 mile
northeast of Mount Joy Road (SCR 297)**

NO. OF UNITS: **Carpet Business**

GROSS
ACREAGE: **0.52**

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 3**
- (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 \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

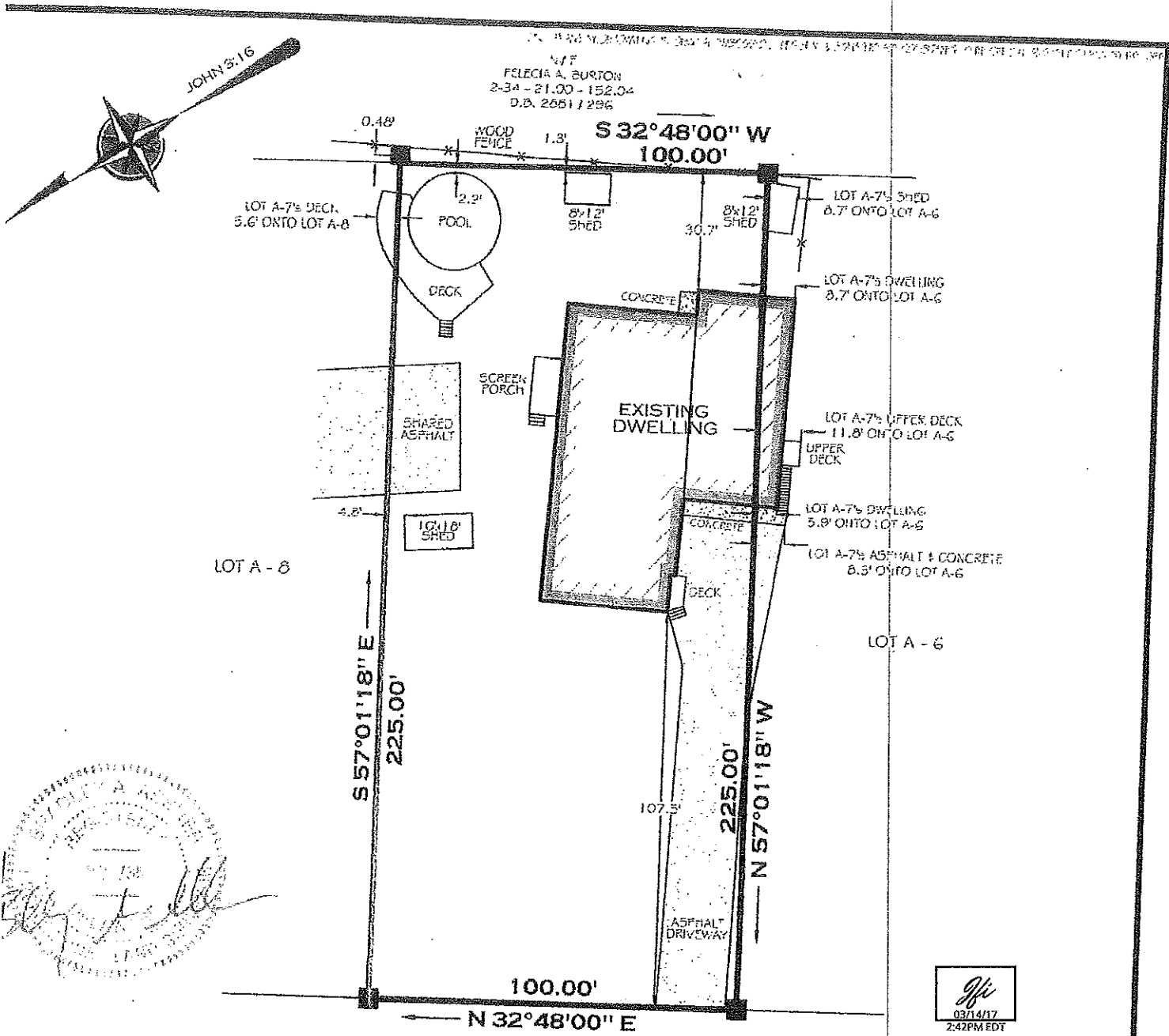
- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **The proposed CU 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? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (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



Jfc
 03/14/17
 2:42PM EDT

ES
 CLASSIFICATION OF SURVEY: SUBURBAN
 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 REASONABLE TITLE SEARCH.
 ALL SIDE AND REAR LOT LINES RESERVED FOR CENTERLINE OF A TEN (10) FOOT DRAINAGE AND/OR UTILITY EASEMENT. (PER PLAT 10 / 66)

AP	2-34 - 21.00 - 169.00
STATE	DELAWARE
COUNTY	SUSSEX
CITY/TOWNSHIP	INDIAN RIVER
AREA	22,500 ± SQ. FT.
REF.	4293 / 253
REF.	10 / 66

BOUNDARY SURVEY PLAN
LOT A-7
 "LANDS OF LAWRENCE S. CORDELL"

LEGEND
 ■ CONCRETE MONUMENT FOUND
TRUE NORTH

PLANNING & ZONING COMMISSION

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



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JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: October 14th, 2021

Application: CU 2267 Cynthia B. Gibbs

Applicant: Cynthia B. Gibbs
11420 Hollytree Road
Lincoln, DE 19960

Owner: Cynthia B. Gibbs
11420 Hollytree Road
Lincoln, DE 19960

Site Location: southeast side of Hollytree Rd. (S.C.R. 226) approx. 0.28 mile
southeast of Fleatown Rd. (S.C.R. 224)

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

Proposed Use: Catering Business

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Mr. Schaeffer

School District: Milford School District

Fire District: Ellendale Fire Department

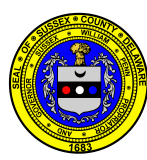
Sewer: Septic

Water: Well

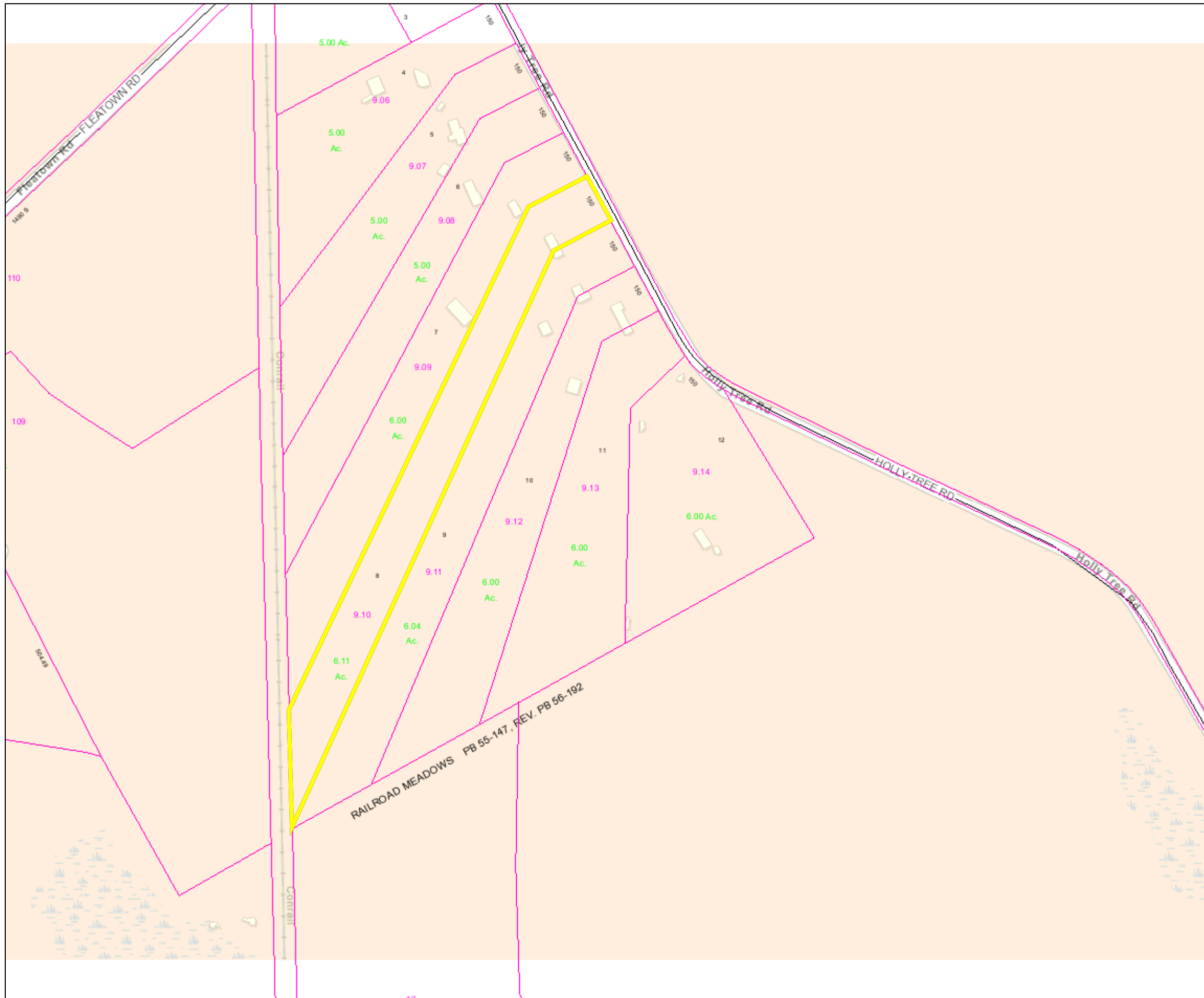
Site Area: 6.12 acres +/-

Tax Map ID.: 230-20.00-9.10





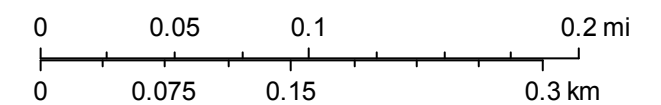
Sussex County

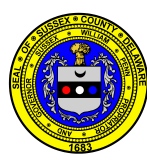


PIN:	230-20.00-9.10
Owner Name	BROWN CYNTHIA L
Book	2403
Mailing Address	11420 HOLLY TREE RD
City	LINCOLN
State	DE
Description	RAILROAD MEADOWS
Description 2	LOT 8
Description 3	CT#47622
Land Code	

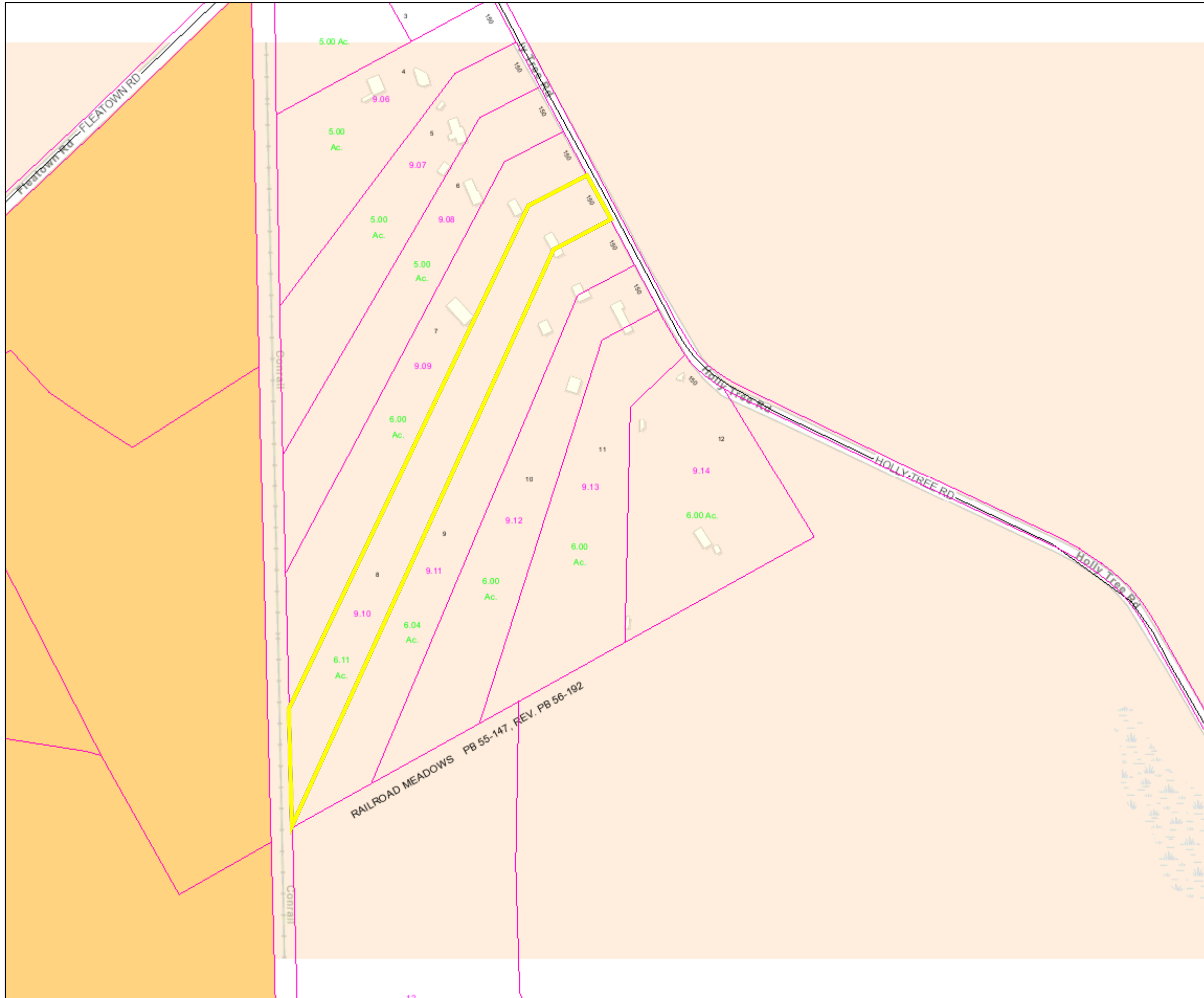
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- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- Tax Ditch Segments**
- Tax Ditch Channel
- Pond Feature
- Special Access ROW
- Extent of Right-of-Way
- Municipal Boundaries
- TID

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Sussex County



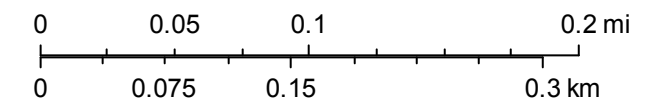
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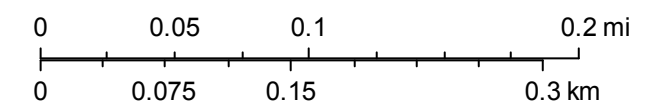
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Memorandum

To: Sussex County Planning Commission Members
From: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: October 7, 2021
RE: Staff Analysis for CU 2267 Cynthia B. Gibbs

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2267 Cynthia B. Gibbs to be reviewed during the October 14, 2021 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: 230-20.00-9.10 to allow for a catering business. The parcel lying on the southwest side of Hollytree Road (S.C.R. 226), approximately 0.28 mile southeast of Fleatown Road (S.C.R. 224). The parcel consists of 6.12 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 parcel has a designation of "Low Density". The surrounding and adjacent parcels to the east and west as well as the north also contain the "Low Density" Future Land Use Map designation. Parcels to the west and southwest have a designation of "Developing Area".

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density areas are intended to support agricultural uses and low-density single-family housing. Specifically, the Comprehensive Plan states that single family homes have a density of up to two dwelling units to the acre. It is envisioned that the Low Density Areas allow for businesses that support nearby residents and the agricultural economy. More intense commercial uses could be limited in scale and impact. While residential growth is expected, the Comprehensive Plan intends for the rural landscape to be maintained and for farmland to be preserved in select locations.

The subject property is zoned Agricultural Residential (AR-1). The adjacent properties surrounding the subject site to the north, south, and east are also zoned Agricultural Residential (AR-1). Parcels to the west are zoned General Residential (GR). A Property further to the west is zoned Heavy Industrial (HI-1).

Since 2011, there has been one (1) Conditional Use application within a 1-mile radius of the application site. The application was for Conditional Use No. 2220 Sussex Land Company, Inc. to allow a fence construction business and outdoor storage of construction material to be located within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on September 29, 2020. This change was adopted through Ordinance No. 2741.



Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow for a catering business, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: _____
202101725

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

11420 Hollytree Rd Lincoln Del 19960

Type of Conditional Use Requested:

Cater

Tax Map #: 230.20.00-9.10 Size of Parcel(s): 6.11

Current Zoning: ARI-CU Proposed Zoning: ARI-CU Size of Building: 24x24

Land Use Classification: _____

Water Provider: Well Sewer Provider: _____

Applicant Information

Applicant Name: Cynthia Brubbs

Applicant Address: 11420 Hollytree Rd

City: Lincoln State: Del Zip Code: 19960

Phone #: 302 249 4772 E-mail: Cynthia.Brubbs@adk.com

Owner Information

Owner Name: Cynthia Brubbs

Owner Address: 11420 Hollytree Rd

City: Lincoln State: Del Zip Code: 19960

Phone #: 302 249 4772 E-mail: Cynthia.Brubbs@adk.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 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

Cynthia B. Schobbs

Date: 2/4/21

Signature of Owner

Cynthia B. Schobbs

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: _____

Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

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

Application Information:

Site Address: 11420 hollytree Rd
Lincoln Del 19960

Parcel #: 230-20.00-9.10

Site Address: 11420 hollytree Rd
Lincoln Del 19960

Parcel #: 230-20.00-9.10

Applicant Name: Cynthia Brown Mcbbs

Owner Name: Cynthia Brown Mcbbs

Type of Application:

Conditional Use:

Change of Zone:

Subdivision:

Board of Adjustment:

Date Submitted: 2.4.21

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____

List created by: _____

Date letters mailed: _____

Letters sent by: _____



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

NICOLE MAJESKI
SECRETARY

January 26, 2021

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 **Cynthia Brown** conditional use application, which we received on January 8, 2021. This application is for an approximately 6.11-acre parcel (Tax Parcel: 230-20.00-9.10) The subject land is located on the west side of Holly Tree Road, south of the intersection of Holly Tree Road and Fleatown Road. The subject land is currently zoned AR-1 (Agricultural Residential) and the applicant seeks a conditional use approval to operate a 576 square foot catering business.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Holly Tree Road where the subject land is located, which is from Fleatown Road to Ponder Road, is 685 vehicles per day.

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

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

Mr. Jamie Whitehouse
Page 2 of 2
January 26, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm
Enclosure

cc: Cynthia Brown, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, 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
Annamaria Furmato, 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 DeIDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 1/8/21

Site Information:

Site Address/Location: 11420 Hollytree Rd Lincoln Del 19960

Tax Parcel Number: 230-20.00-9.10

Current Zoning: AP-1

Proposed Zoning: AP-1 Conditional Use

Land Use Classification: N/A

Proposed Use(s):

Catering

Square footage of any proposed buildings or number of units: 24624

Applicant Information:

Applicant's Name: Cynthia Bibbs BROWN

Applicant's Address: 11420 Hollytree Rd

City: Lincoln State: Del Zip Code: 19960

Applicant's Phone Number: 302.249.4772

Applicant's e-mail address: CynthiaBrown15@del.com



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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/23/2021**

APPLICATION: **CU 2267 Cynthia B. Gibbs**

APPLICANT: **Cynthia B. Gibbs**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **230-20.00-9.10**

LOCATION: **Southeast side of Hollytree Road (SCR 226), approximately
0.28 mile southeast of Fleatown Road (SCR 224).**

NO. OF UNITS: **Catering Business**

GROSS
ACREAGE: **6.12**

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 3**
- (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? **N/A** 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 \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

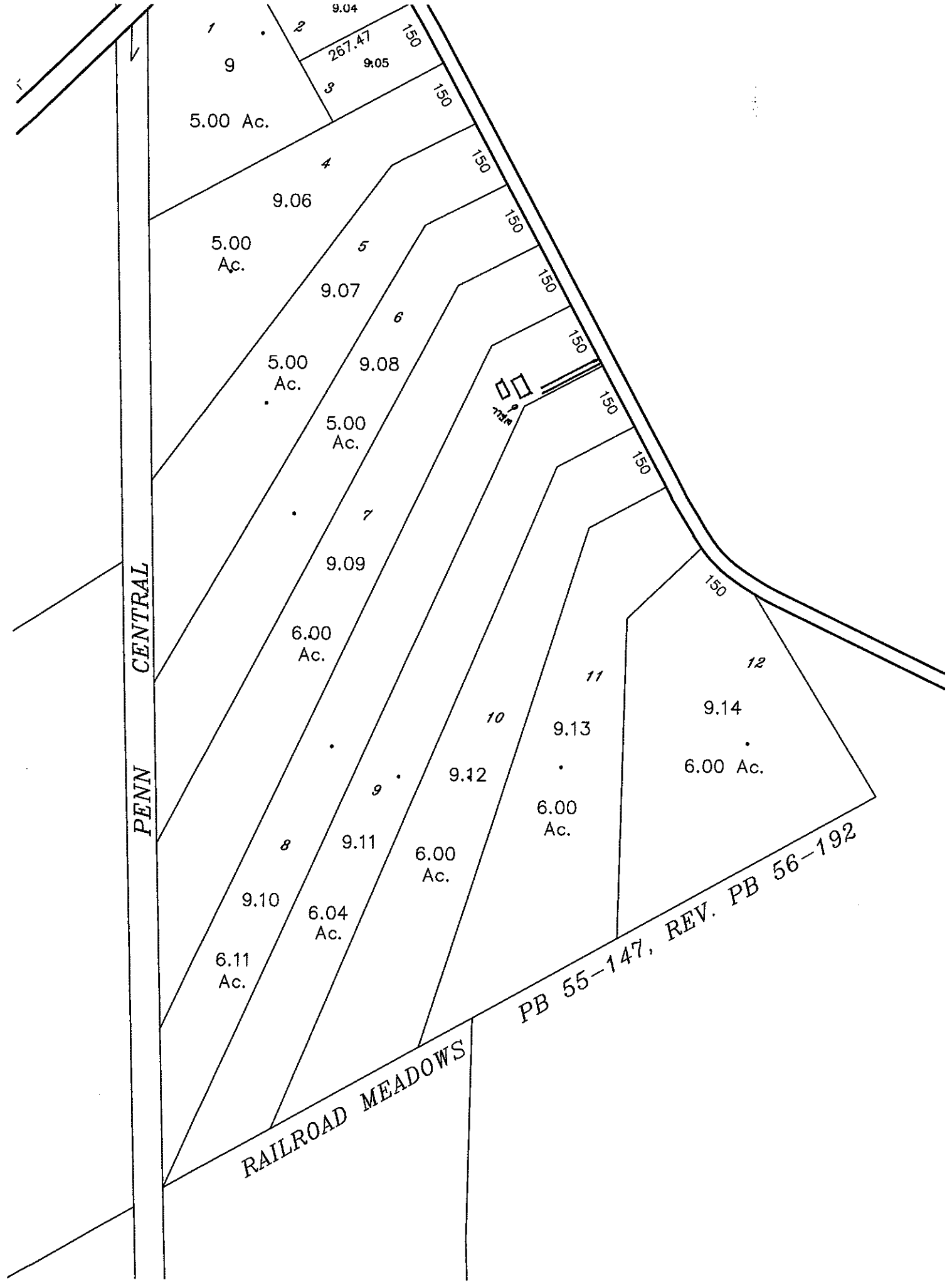
- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **The proposed CU 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? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (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



9.04
267.47
150
9.05
150
5.00 Ac.

9.06
5.00 Ac.

9.07
5.00 Ac.

9.08
5.00 Ac.

9.09
6.00 Ac.

9.10
6.11 Ac.

9.11
6.04 Ac.

9.12
6.00 Ac.

9.13
6.00 Ac.

9.14
6.00 Ac.

PENN
CENTRAL

RAILROAD MEADOWS

PB 55-147, REV. PB 56-192

TRANS

10

11

12

4

5

6

7

8

1

9

2

3

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, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: October 28th, 2021

Application: CU 2268 Staci and Winfield Walls

Applicant: Staci and Winfield Walls
30600 Gull Point Road
Millsboro, DE 19966

Owner: Staci and Winfield Walls
30600 Gull Point Road
Millsboro, DE 19966

Site Location: 30600 Gull Point Road in Millsboro

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

Proposed Use: Boat Shrink Wrapping Business

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Indian River Fire Department

Sewer: Septic

Water: Well

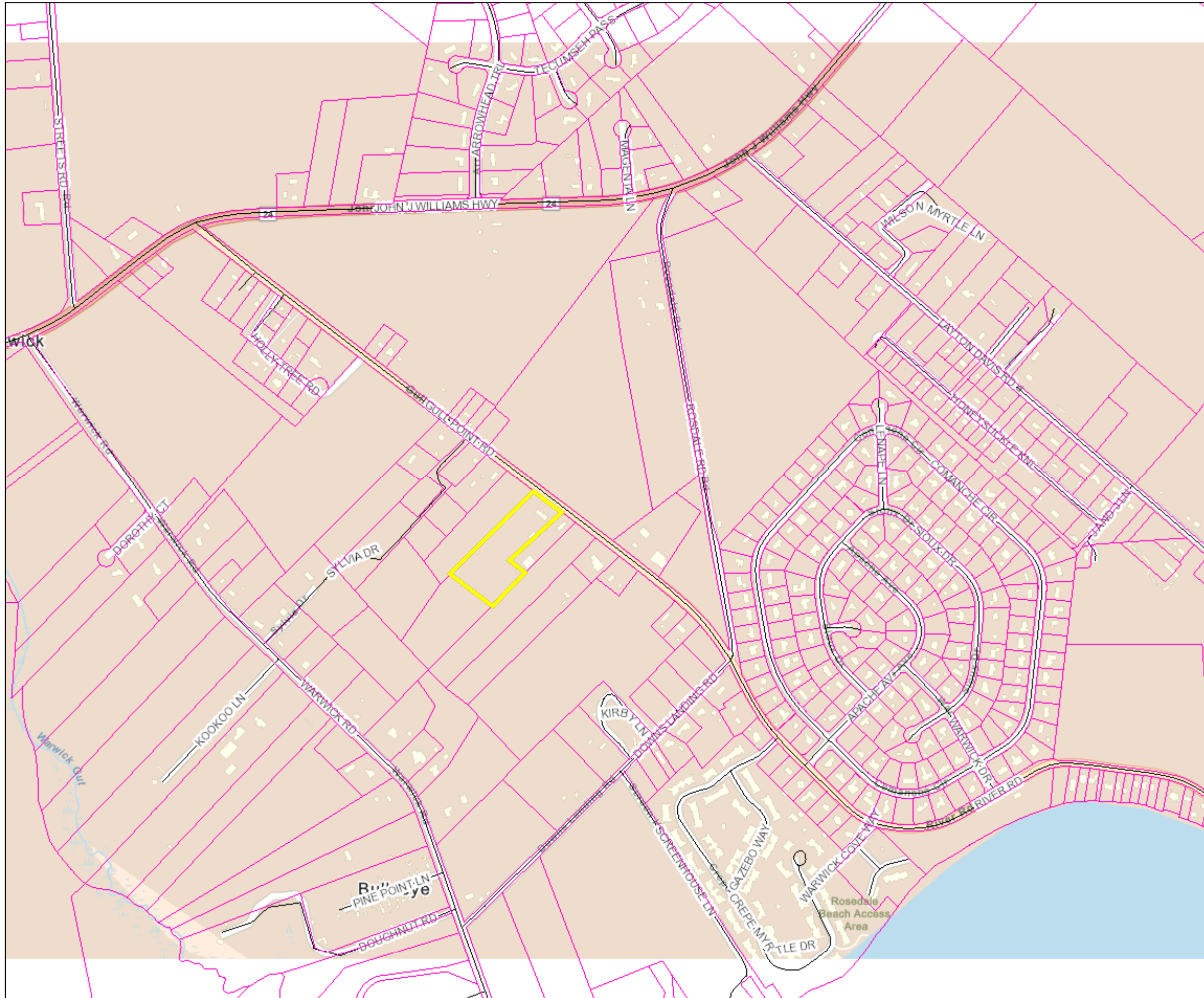
Site Area: 3.97 acres +/-

Tax Map ID.: 234-33.00-44.00





Sussex County



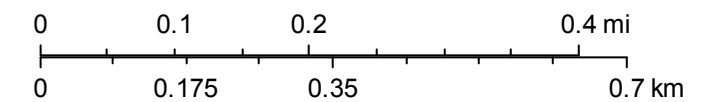
PIN:	234-33.00-44.00
Owner Name	WALLS WINFIELD S JR & STACI C
Book	2106
Mailing Address	30600 GULL POINT RD
City	MILLSBORO
State	DE
Description	SW/RT 313
Description 2	2750'SE/RT 24
Description 3	
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

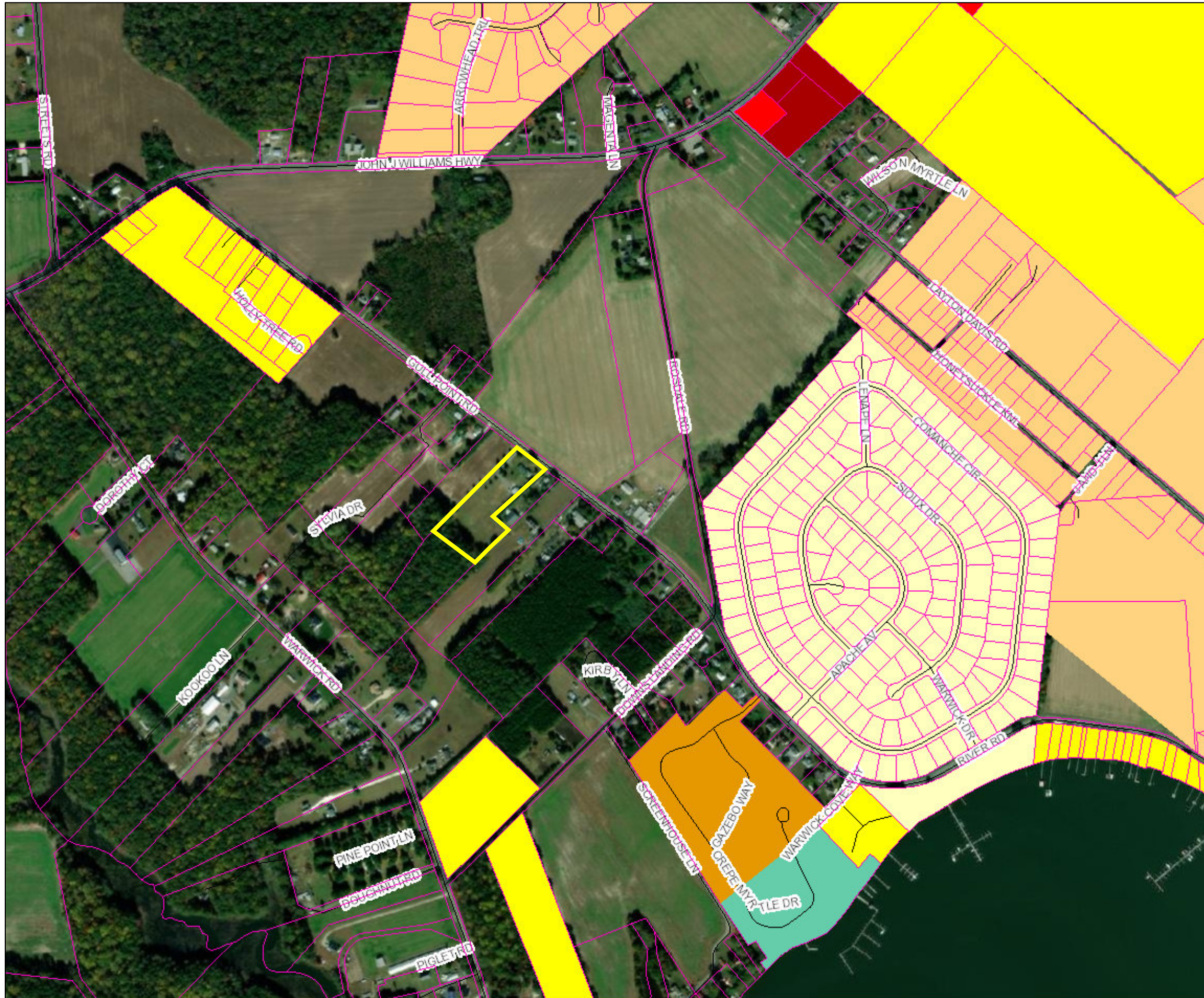
 - Override 1
 - Tax Parcels
 - Streets
 - County Boundaries
 - Municipal Boundaries

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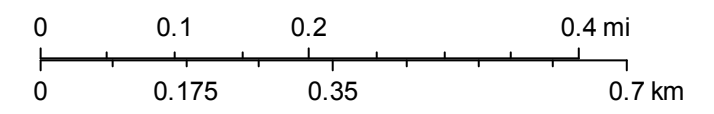
Sussex County

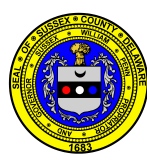


PIN:	234-33.00-44.00
Owner Name	WALLS WINFIELD S JR & STACI C
Book	2106
Mailing Address	30600 GULL POINT RD
City	MILLSBORO
State	DE
Description	SW/RT 313
Description 2	2750'SE/RT 24
Description 3	N/A
Land Code	

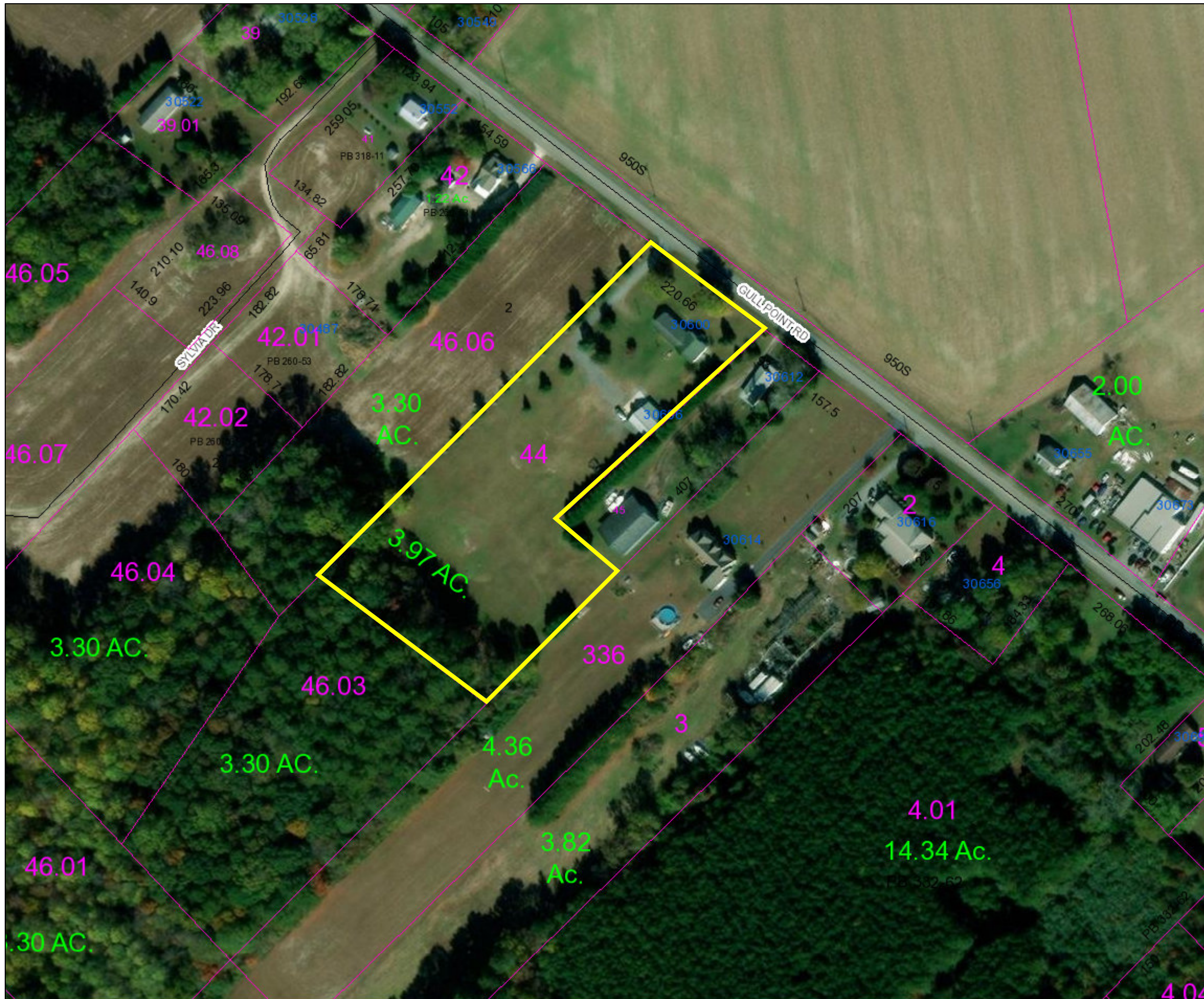
- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets

1:9,028



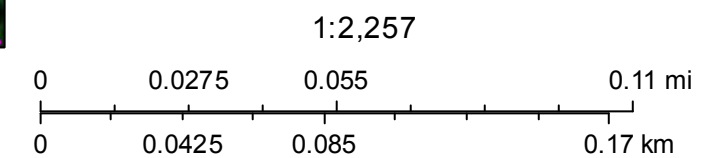


Sussex County



PIN:	234-33.00-44.00
Owner Name	WALLS WINFIELD S JR & STACI C
Book	2106
Mailing Address	30600 GULL POINT RD
City	MILLSBORO
State	DE
Description	SW/RT 313
Description 2	2750'SE/RT 24
Description 3	N/A
Land Code	

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



JAMIE WHITEHOUSE, AICP MRTPI
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: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: October 7, 2021
RE: Staff Analysis for CU 2268 Winfield & Staci Walls

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2268 Winfield & Staci Walls to be reviewed during the October 14, 2021 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: 234-33.00-44.00 to allow for a boat shrink wrapping business. The parcel is lying on the southwest side of Gull Point Road (S.C.R. 313, approximately 0.52 mile southeast of John J. Williams Highway (Rt. 24). The parcel consists of 3.97 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 parcel has a designation of "Coastal Area". The surrounding and adjacent parcels to the east and west as well as the north and south also contain the "Coastal Area" Future Land Use Map designation.

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, 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. Appropriate mixed-use development should also be allowed.

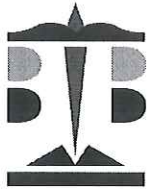
The subject property is zoned Agricultural Residential (AR-1). The adjacent properties surrounding the subject site to the north, south, west, and east are also zoned Agricultural Residential (AR-1). Parcels further to the north and south are zoned Medium Residential (MR), High Density Residential (HR-2) and Marine (M) Zoning Districts.

Since 2011, there has been two (2) Conditional Use applications within a 1-mile radius of the application site. The first application was for Conditional Use No. 2019 JB Builders, LLC, to allow for a construction company office, storage of materials, retail sales, and equipment storage and rental to be located within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on August 4, 2015. This change was adopted through Ordinance No. 2409.



The second application was for Conditional Use No. 2115 Nanticoke Indian Association Inc. to amend a condition of approval to be located within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on March 13, 2018. This change was adopted through Ordinance No. 2554.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow for a boat shrink wrapping business, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



BAIRD
MANDALAS
BROCKSTEDT LLC

Mackenzie M. Peet
mackenzie@bmbde.com
(302)645-2262

February 2, 2021

Planning & Zoning Department
Attn: Chase Phillips, Planner I
2 The Circle
Georgetown, DE 19947

Dear Mr. Phillips:

Please find a copy of the enclosed Conditional Use Application for Mr. and Mrs. Winfield Walls of 30600 Gull Point Road, Millsboro, DE 19966 (TMP 234-33.00-44.00) (the "Property").

The Applicants are seeking a Conditional Use to operate a boat shrink wrapping business from their existing pole barn on the Property. Enclosed please find a copy of the Conditional Use Application, Mailing List Application Form, Project Contact List Form, Service Level Evaluation Request Form and Response, Property Information Card, Property Deed of record, aerial images, site plan, and the \$500 application fee.

Sincerely,

Mackenzie Peet, Esq.
/mmp

File #: CU 2268
2021 01732

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

30600 Gull Point Road, Millsboro, DE 19966

Type of Conditional Use Requested:

Applicant seeks a Conditional Use pursuant to Municipal Code Section 115-22 for operation of a boat shrink wrapping business.

Tax Map #: 234-33.00-44.00

Size of Parcel(s): 3.97

Current Zoning: AR-1

Proposed Zoning: CU in AR-1 Size of Building: +/- 1,000 S.F.

Land Use Classification: _____

Water Provider: _____

Sewer Provider: _____

Applicant Information

Applicant Name: Staci C. and Winfield S. Walls, Jr.

Applicant Address: 30600 Gull Point Road

City: Millsboro

State: DE

Zip Code: 19966

Phone #: (302) 448-1179

E-mail: sssrwalls@aol.com

Owner Information

Owner Name: Staci C. and Winfield S. Walls, Jr.

Owner Address: 30600 Gull Point Road

City: Millsboro

State: DE

Zip Code: 19966

Phone #: (302) 448-1179

E-mail: sssrwalls@aol.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Miller Lewis, Inc.

Agent/Attorney/Engineer Address: 1560 Middleford Road

City: Seaford

State: DE

Zip Code: 19973

Phone #: (302) 629-9895

E-mail: N/A



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.

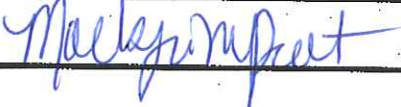
DeIDOT Service Level Evaluation Request Response

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: 01/22/2021

Signature of Owner



Date: 01/22/2021

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____

Mailing List Application Form

For Applications Requiring a Public Hearing in Sussex County

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

Application Information:

Site Address: 30600 Gull Point Road, Millsboro, DE 19966

Parcel #: 234-33.00-44.00

Site Address: _____

Parcel #: _____

Applicant Name: Staci C. and Winfield S. Walls, Jr.

Owner Name: Staci C. and Winfield S. Walls, Jr.

Type of Application:

- Conditional Use:
- Change of Zone:
- Subdivision:
- Board of Adjustment:

Date Submitted: _____

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____

List created by: _____

Date letters mailed: _____

Letters sent by: _____

Planning & Zoning Project Contact List

Applicant Information

Applicant Name: Staci C. and Winfield S. Walls, Jr.
Applicant Address: 30600 Gull Point Road
City: Millsboro State: DE Zip: 19966
Phone #: (302) 448-1179 E-mail: sssrwalls@aol.com

Owner Information

Owner Name: Staci C. and Winfield S. Walls, Jr.
Owner Address: 30600 Gull Point Road
City: Millsboro State: DE Zip: 19966
Phone #: (302) 448-1179 E-mail: sssrwalls@aol.com

Engineer/Surveyor Information

Engineer/Surveyor Name: Miller Lewis, Inc.
Engineer/Surveyor Address: 1560 Middleford Road
City: Seaford State: DE Zip: 19973
Phone #: (302) 629-9895 E-mail: _____

Agent/Attorney Information

Agent/Attorney/Name: Baird Mandalas Brockstedt LLC c/o Mackenzie M. Peet, Esq.
Agent/Attorney/Address: 1413 Savannah Road, Suite 1
City: Lewes State: DE Zip: 19958
Phone #: (302) 644-2262 E-mail: mackenzie@bmbde.com

Other

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





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

NICOLE MAJESKI
SECRETARY

January 29, 2021

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 **Winfield S. Walls, jr. and Staci C. Walls** proposed land use application, which we received on January 22, 2021. This application is for an approximately 3.97-acre parcel (Tax Parcel: 234-33.00-44.00). The subject land is located on the southwest side of Gull Point Way south of the intersection with State Route 24 in Millsboro. The subject land is currently zoned AR-1 (Agricultural Residential) with a proposed conditional use to permit a boat shrink wrapping business (1,000 square feet).

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Gull Point Way where the subject land is located, which is from Route 24 to Rosedale Road, is 1,228 vehicles per day.

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

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



Mr. Jamie Whitehouse
Page 2 of 2
January 29, 2021

Please contact Ms. Annamaria Furrato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



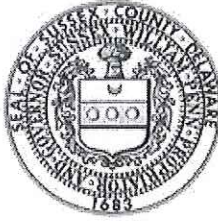
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

Enclosure

cc: Winfield S. Walls, jr. and Staci C. Walls, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
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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
Annamaria Furrato, 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: 1/22/20

Site Information:

Site Address/Location: 30600 Gull Point Road, Millsboro, DE 19966

Tax Parcel Number: 234-33.00-44.00

Current Zoning: AR-1

Proposed Zoning: CU

Land Use Classification: _____

Proposed Use(s): Boat Shrink Wrapping Business

Square footage of any proposed buildings or number of units: +/- 1,000 S.F.

Applicant Information:

Applicant's Name: Winfield S. Walls, Jr. and Staci C. Walls

Applicant's Address: 30600 Gull Point Road

City: Millsboro

State: DE

Zip Code: 19966

Applicant's Phone Number: (302) 645-2262

Applicant's e-mail address: mackenzie@bmbde.com



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

Last updated 3-12-20

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/23/2021**

APPLICATION: **CU 2268 Staci and Winfield Walls**

APPLICANT: **Staci and Winfield Walls**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **234-33.00-44.00**

LOCATION: **30600 Gull Point Road, Millsboro**

NO. OF UNITS: **Boat Shrink Wrapping Business**

GROSS
ACREAGE: **3.97**

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? **N/A** 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 \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

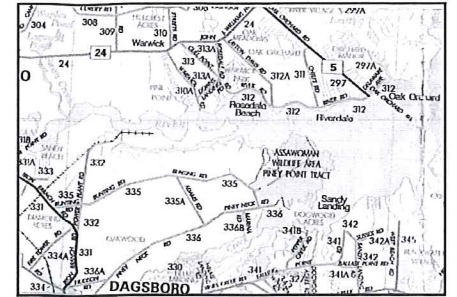
- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **The proposed CU 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? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (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

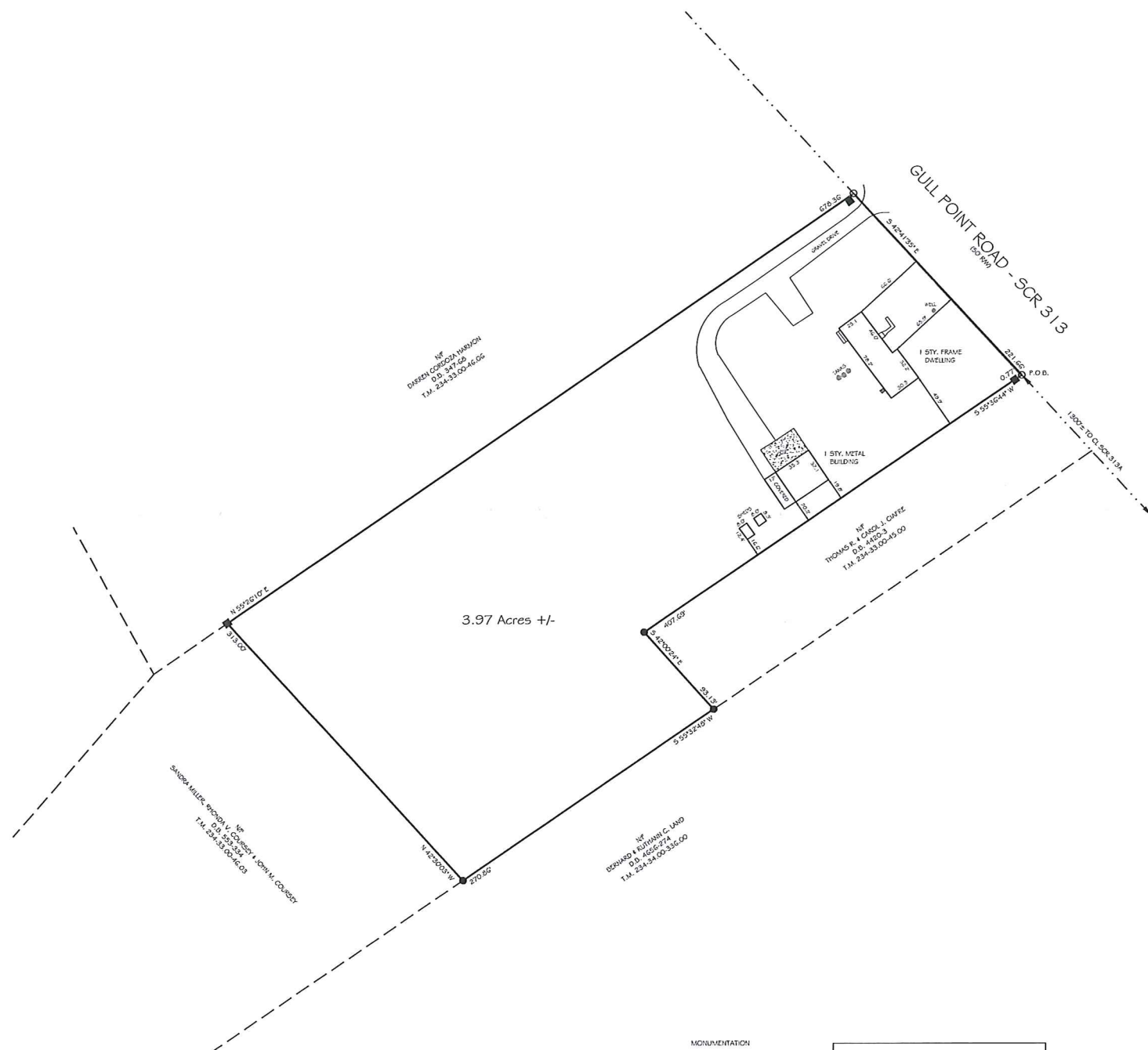


VICINITY MAP



DATA COLUMN:
 T.M. # 234-33.00-44.00
 ZONING: AR-1 AGRICULTURAL / RESIDENTIAL
 SETBACK REQUIREMENTS:
 FRONT: 40'
 SIDE: 15'
 REAR: 20'
 OWNER: WINFIELD S., JR. & STACI C. WALLS
 SITE ADDRESS: 30600 GULL POINT ROAD, MILLSBORO, DE. 19966
 TRACT AREA: 3.97 ACRES
 ACCESS: S.C.R. 313 GULL POINT ROAD
 WATER AND SEWER: INDIVIDUAL ON-SITE
 OWNER SHALL COMPLY WITH ALL DELDOT ENTRANCE AND
 ROADWAY IMPROVEMENT REQUIREMENTS.

REQUEST FOR CONDITIONAL USE FOR
 LANDS OF
WINFIELD S., JR. AND STACI C. WALLS



- MONUMENTATION
- IRON PIPE (FOUNDED)
 - CONCRETE MONUMENT (FOUNDED)
 - POINT
- IT IS THE DUTY AND OBLIGATION OF THE SURVEYOR TO VERIFY THE EXISTENCE OF MONUMENTS AND TO REPORT THE RESULTS OF SUCH VERIFICATION TO THE CLIENT. IT IS THE CLIENT'S RESPONSIBILITY TO MAINTAIN AND PROTECT THE MONUMENTS AND TO REPORT ANY DAMAGE OR LOSS TO THE SURVEYOR IMMEDIATELY. THE SURVEYOR SHALL NOT BE RESPONSIBLE FOR THE LOSS OR DESTRUCTION OF MONUMENTS OR FOR THE COST OF REPLACING OR REPAIRING THEM.
- SURVEY CLASS: SUBURBAN

I, STEPHEN M. COLLIER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH 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 CONSTITUTE A NEW SURVEY AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

STEPHEN M. COLLIER, PLS 564 DATE _____

DATE	REVISION

MILLER LEWIS, INC.
 LAND SURVEYING
 1360 MIDDLEFORD RD.
 SEAFORD, DELAWARE 19973
 PH: 302-629-9695 FAX: 302-629-2391

TRACTED	INDIAN RIVER	COUNTY
STATE	DELAWARE	SUSSEX
ZIP	2106-256	WALLS 234-33-44

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, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: October 14th, 2021

Application: CU 2269 Dennis Nelson Jr.

Applicant: Dennis Nelson Jr.
26171 Craigs Mill Road
Seaford, DE 19973

Owner: Dennis Nelson Jr.
26171 Craigs Mill Road
Seaford, DE 19973

Site Location: The property is lying on the northeast side of Craigs Mill Road (S.C.R. 556), approximately 0.42 mile north of Woodland Road (S.C.R. 536).

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

Proposed Use: Tractor Trailer Parking

Comprehensive Land Use Plan Reference: Developing Area

Councilmanic District: Mr. Vincent

School District: Seaford School District

Fire District: Seaford Fire Department

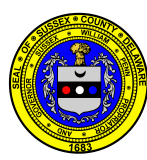
Sewer: Private, On-site (septic)

Water: Private, On-site (well)

Site Area: 2.17 acres +/-

Tax Map ID.: 531-12.00-129.00





Sussex County



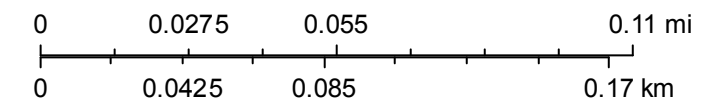
PIN:	531-12.00-129.00
Owner Name	NELSON DENNIS H
Book	4517
Mailing Address	26171 CRAIGS MILL RD
City	SEAFORD
State	DE
Description	N/CRAIGS MILL RD
Description 2	227'NE/FIGGS RD
Description 3	LOT 1
Land Code	

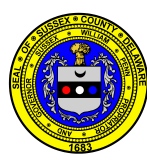
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 - Override 1
- polygonLayer**

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

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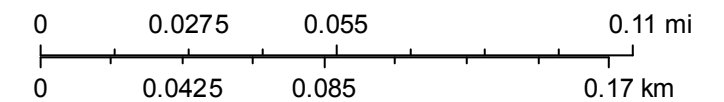
Sussex County



PIN:	531-12.00-129.00
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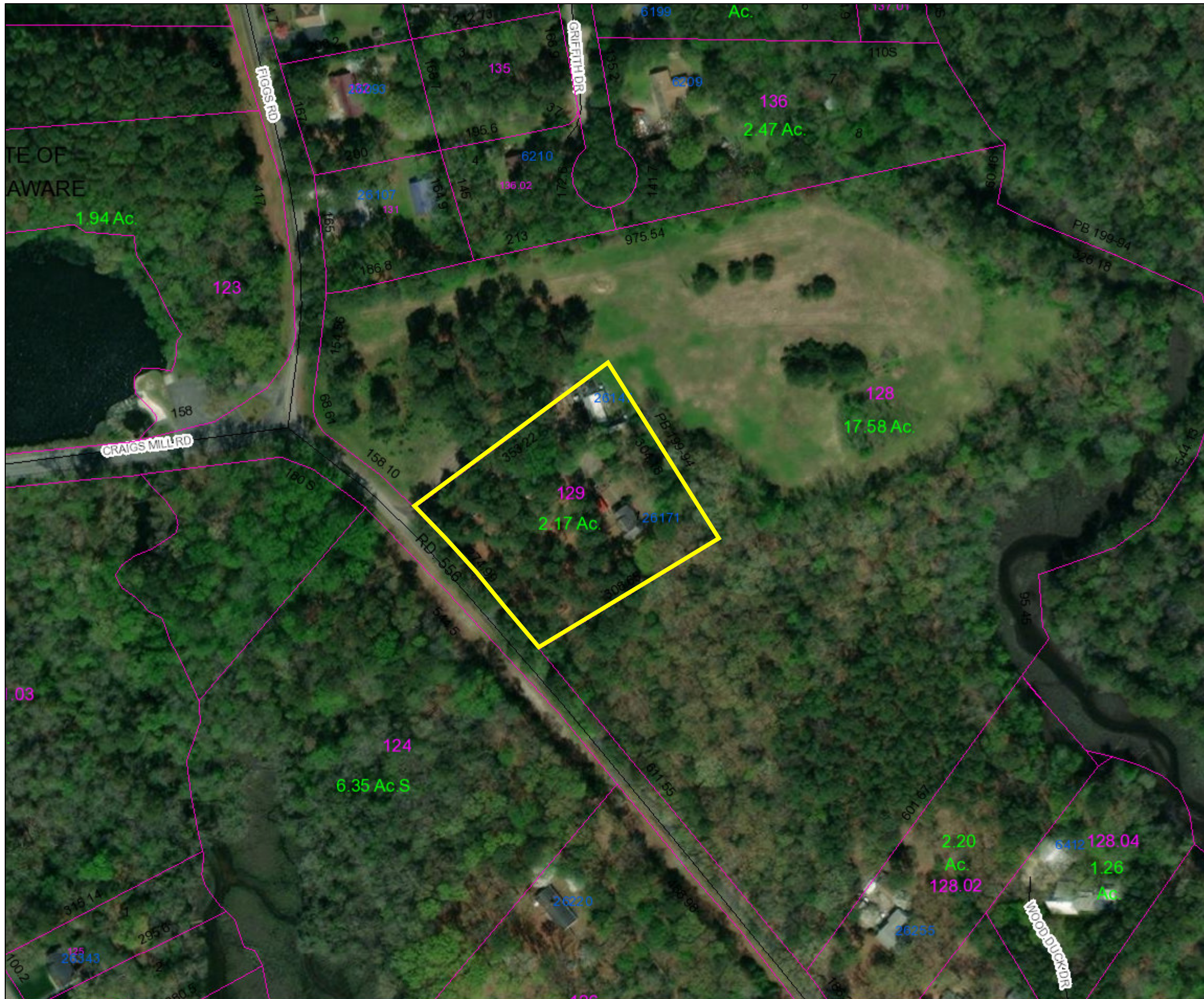
- polygonLayer
 Override 1
- polygonLayer
 Override 1
- Tax Parcels
- 911 Address
- Streets

1:2,257



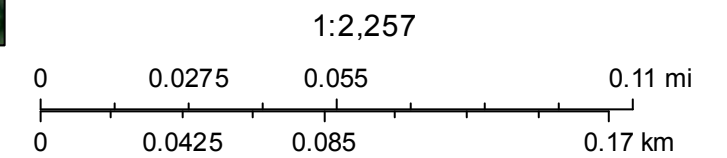


Sussex County



PIN:	531-12.00-129.00
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- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries



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



Sussex County

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Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: October 7, 2021
RE: Staff Analysis for CU 2269 Dennis Nelson Jr.

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2269 Dennis Nelson Jr. to be reviewed during the October 14, 2021 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: 531-12.00-129.00 to allow tractor trailer parking on the property. The parcel is lying on the northeast side of Craigs Mill Road (S.C.R. 556), approximately 0.42 mile north of Woodland Road (S.C.R. 536). The parcel is located at 26171 Craigs Mill Road in Seaford, Delaware and consists of 2.17 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 parcel has a designation of “Developing Area.” The surrounding and adjacent to the north, south, east, and west (on the opposite side of Craigs Mill Road) also contain the “Developing Area” land use designation. The properties on the opposite side of Chapel Branch contain the “Industrial” land use designation.

As outlined within the 2018 Sussex County Comprehensive Plan, Developing Areas are newer, emerging growth areas that demonstrate the characteristics of developmental pressures. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers. – A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home.

The subject property is zoned Agricultural Residential (AR-1). The adjacent properties to the north, south and west of the project site are also zoned Agricultural Residential (AR-1). The adjacent property (Parcel 128.00) to the proposed tractor trailer parking is part of a Conservation Easement for Moore Farm. The properties on the opposite side of Chapel Branch, which flanks this property are all zoned Heavy Industrial (HI-1) Zoning District.



Since 1977, there have been two (2) Conditional Use applications within a 2-mile radius of the application site. The first application was for Conditional Use No. 1456 Boyd Taylor to allow for the repair of boats, motors, trailers and the like within the Agricultural Residential (AR-1) Zoning District. The Conditional Use was approved by the Sussex County Council at their meeting of August 3, 2002 and the change was adopted through Ordinance No. 1557-A.

The second application was for Conditional Use No. 415 John Herbert Litchford Jr. to allow for a retail store for the sale of seafood. This application was approved by the Sussex County Council on May 17, 1977.

Based on the analysis of the land use, surrounding zoning and uses, a Conditional use to allow for tractor trailer parking, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

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

26171 Craigs Mill Rd Seaford, DE 19973

Type of Conditional Use Requested:

Tractor Trailer Parking

Tax Map #: 531-12.00-129.00 Size of Parcel(s): 2.17 acre

Current Zoning: AR-1 Proposed Zoning: CU Size of Building: N/A

Land Use Classification: _____

Water Provider: Private Well Sewer Provider: Private Septic

Applicant Information

Applicant Name: Dennis Nelson Jr.
Applicant Address: 26171 Craigs Mill Rd
City: Seaford State: DE Zip Code: 19973
Phone #: 302-727-6350 E-mail: dnmuskra91@gmail.com

Owner Information

Owner Name: Dennis Nelson Jr.
Owner Address: 26171 Craigs Mill Rd
City: Seaford State: DE Zip Code: 19973
Phone #: 302-727-6350 E-mail: dnmuskra91@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 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

Dennis Adams Jr.

Date: 2-11-2021

Signature of Owner

Dennis Adams Jr.

Date: 2-11-2021

For office use only:

Date Submitted: 2/12/21

Fee: \$500.00 Check #: 1257

Staff accepting application: Ces

Application & Case #: 202102138

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

NICOLE MAJESKI
SECRETARY

February 10, 2021

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 **Dennis Nelson Jr.** proposed land use application, which we received on February 7, 2021. This application is for an approximately 2.17- acre parcel (Tax Parcel: 531-12.00-129.00). The subject land is located on the north side of Craigs Mill Road, near the intersection with Figgs Road. The subject land is currently zoned AR-1 (Agricultural Residential) with a proposed conditional use for Tractor Trailer Parking.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Craigs Mill Road where the subject land is located, which is from Figgs Road to Woodland Road, is 380 vehicles per day.

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

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



Mr. Jamie Whitehouse

Page 2 of 2

February 10, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



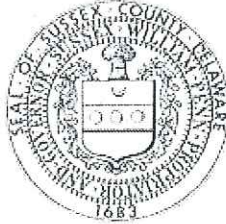
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Dennis Nelson Jr., Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, 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
Annamaria Furmato, 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: 2-7-2021

Site Information:

Site Address/Location: 26171 Craigs Mill Rd, Seaford, De, 19973

Tax Parcel Number: 5-31-12.00-129.00

Current Zoning: AR-1

Proposed Zoning: CU

Land Use Classification: _____

Proposed Use(s):

tractor trailer parking

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

Applicant Information:

Applicant's Name: Dennis Nelson Jr.

Applicant's Address: 26171 Craigs Mill Rd.

City: Seaford State: De. Zip Code: 19973

Applicant's Phone Number: 302-727-6350

Applicant's e-mail address: dmmuskat91@gmail.com



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

TO: **Jamie Whitehouse**
REVIEWER: **Chris Calio**
DATE: **9/23/2021**
APPLICATION: **CU 2269 Dennis Nelson, Jr.**
APPLICANT: **Dennis Nelson, Jr.**
FILE NO: **WSPA-5.02**

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SEP 24 2021
SUSSEX COUNTY
PLANNING & ZONING

TAX MAP &
PARCEL(S): **531-12.00-129.00**

LOCATION: **On the northeast side of Craigs Mill Pond Road (SCR 556),
approximately 0.42 mile north of Woodland Road (SCR 536).**

NO. OF UNITS: **Tractor Trailer Parking**

GROSS
ACREAGE: **2.17**

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? **N/A** 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 \$6,600.00** 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 CU is within the Growth and Annexation Area of the City of Seaford. Contact the City concerning the availability of sanitary sewer and/or central water.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (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

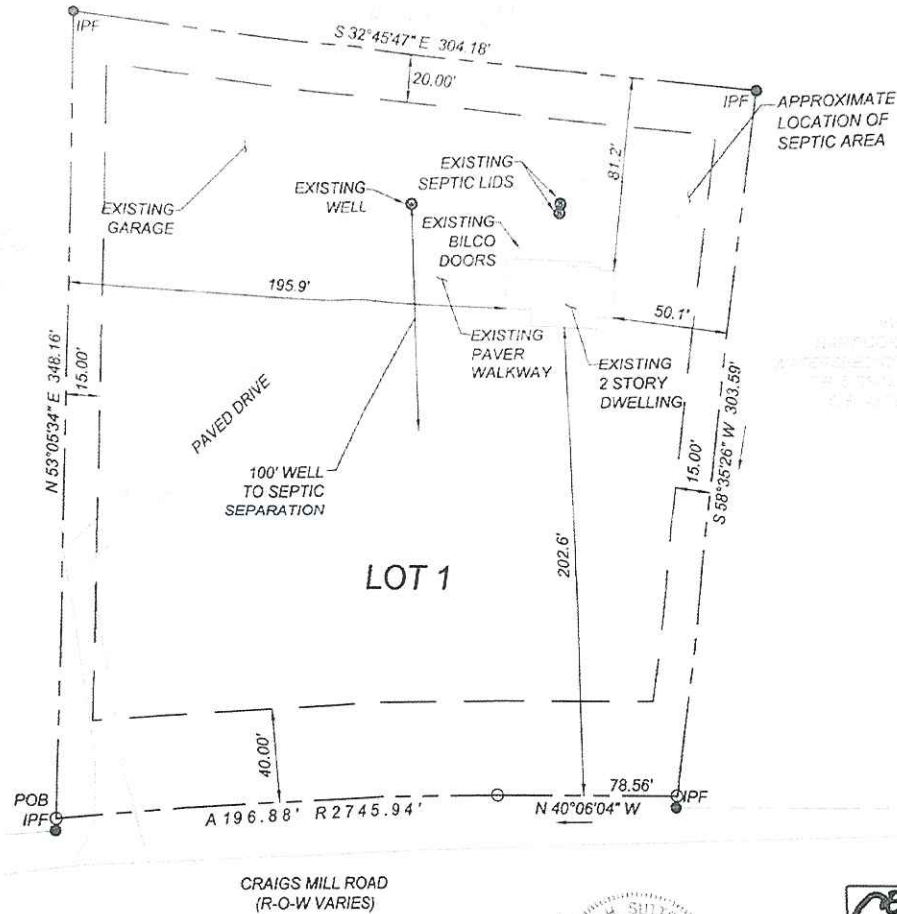
SITE DATA:

OWNER: DENNIS NELSON
 ADDRESS: 26171 CRAIGS MILL ROAD
 SEAFORD, DE 19973
 TAX PARCEL ID: 6-31-12-00-129-00
 DEED REF: D.B. 3116, P. 78
 P.B. 189, P. 94
 TOTAL AREA: 94,650.52 S.F. ± (2.17 AC ±)
 ZONING: AR-1
 BUILDING SETBACKS:
 FRONT/STREET YARD - 40 FEET
 SIDE YARD - 15 FEET
 REAR YARD - 20 FEET

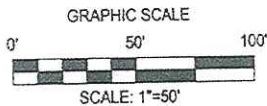
● IPF IRON PIN FOUND (4)

NOTE:

BASED ON THE FIELD SURVEY, THE SEPTIC AREA AND WELL DO NOT HAVE THE MINIMUM SEPARATION. DNREC SHOULD BE CONTACTED FOR ADDITIONAL INFORMATION & GUIDANCE.



CRAIGS MILL ROAD
 (R-O-W VARIES)



Robert H. Suttell
 CIVIL ENGINEER
 STATE OF DELAWARE
 No. 2316

CE CIVIL ENGINEERING ASSOCIATES, LLC
 ENGINEERING • SURVEYING • CONSTRUCTION SERVICES

BOUNDARY SURVEY PLAN FOR
 LOT 1
 MOORE FARMS
 SITUATE IN: SEAFORD HUNDRED, SUSSEX COUNTY, DE

PROJECT #	DATE	#	REVISION	DATE BY
P16002	2/5/2016			
SCALE:	FILE:			
1"=50'	16002-F			
DRN BY:	CHKD BY:			
FPH	RHS			

October 7, 2021

Public Hearing for Truck Parking in Seaford, Delaware

C/U Dennis Nelson Jr. An ordinance to grant a conditional use of land in an AR 1 Agricultural residential district for tractor trailer parking to be located on a certain parcel of land lying and being in Seaford Hundred, Sussex County, containing 2.17 acres, more or less.

We are opposed to the rezoning in our residential area.

Submitted by Karl and Donna Steinbiss, 26255 Craig's Mill Road, Seaford, DE 19973

We will be on vacation during this hearing, but we wanted to state our concerns.

We are located on the south side of the area of concern.

1. The area is residential/agricultural zoned and is surrounded on three sides by the Nature Preservation Conservancy.
2. The area is fronted by Craig's Mill Pond and the Nanticoke River has a branch behind the trucking business.
3. County roads, Craig's Mill Road and Figg's Road, are the roads in question. Both roads are narrow tar and chipped, that were a dirt road in the past. They have never been paved to manage daily tractor trailer traffic.
4. The intersection has already been repaired since the trucks have taken up residence. When it rains and the trucks have to turn into their driveway, the frontage of the other side of the road becomes gouged out and fills with rain and very muddy and dangerous on the curve.
5. The entrance to the property is at the intersection of the two roads and becomes hazardous.
6. Tractor trailer trucks back into the property because they have no room to turn around in the yard, which is hazardous as cars are backed up.
7. A year or so ago there was one tractor trailer truck and now at any given time there could be 5-6 parked. As of this moment there are two derelict dismantled cabs in the woods.
8. Fleet of trucks that are older are often seen with hoods up where they are doing maintenance. The trucks are labeled Nelson Trucking.

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OCT 07 2021

SUSSEX COUNTY
PLANNING & ZONING

9. A fuel truck has been seen pulling into the area. This is a concern because the whole area is fragile and is waterfront conservancy protected.
10. We are concerned about the environmental issues. (Gas, oil, trash)
11. From May to September the public swimming pool on Craig's Mill Pond road is open. The traffic is increased daily with attendees and swim meets.
12. The value of our property is in jeopardy with a trucking business next door.

Sincerely,

Karl and Donna Steinbiss