

CU 2223 A&W Burbage, LLC

File #: CU # 2223

202001322

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

32883 Jones Road, Frankford, DE 19945

Type of Conditional Use Requested:

Boat & RV Storage Facility

Tax Map #: 1-34-14.00-36.00

Size of Parcel(s): 3.93 Acres +/-

Current Zoning: AR-1

Proposed Zoning: CU

Size of Building: _____

Land Use Classification: Boat & RV Storage Lot

Water Provider: N/A

Sewer Provider: N/A

Applicant Information

Applicant Name: Gerald A Burbage & Carol B Evans

Applicant Address: 32 Hidden Meadows Terrace

City: Milford

State: DE

Zip Code: 19963

Phone #: (302) 393-3350

E-mail: gburbage0913@gmail.com

Owner Information

Owner Name: A&W Burbage LLC

Owner Address: 32 Hidden Meadows Terrace

City: Milford

State: DE

Zip Code: 19963

Phone #: (302) 393-3350

E-mail: gburbage0913@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

_____ Date: _____

Signature of Owner

 Date: 2/5/2020

For office use only:

Date Submitted: 2/5/2020 Fee: \$500.00 Check #: 1055
Staff accepting application: CD Application & Case #: 202001322
Location of property: _____

Subdivision: _____
Date of PC Hearing: 9/10/2020 Recommendation of PC Commission: _____
Date of CC Hearing: 10/20/2020 Decision of CC: _____

Planning & Zoning Project Contact List

Applicant Information

Applicant Name: A&W Burbage LLC
Applicant Address: 32 Hidden Meadows Terrace
City: Milford State: DE Zip: 19963
Phone #: (302) 393-3350 E-mail: gburbage0913@gmail.com

Owner Information

Owner Name: Gerald Burbage & Carol Evans
Owner Address: 32 Hidden Meadows Terraced
City: Milford State: DE Zip: 19963
Phone #: _____ E-mail: _____

Engineer/Surveyor Information

Engineer/Surveyor Name: Delaware Surveying Service
Engineer/Surveyor Address: P O Box 88
City: Bethany Beach State: DE Zip: 19930
Phone #: (302) 537-7094 E-mail: _____

Agent/Attorney Information

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

Other

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



PLANNING & ZONING COMMISSION

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



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
ACTING DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date June 11, 2020.

Application: (CU 2223) A&W Burbage, LLC

Applicant: Gerald A. Burbage and Carol B. Evans
32 Hidden Meadow Terrace
Milford, DE 19963

Owner: A&W Burbage, LLC
32 Hidden Meadow Terrace
Milford, DE 19963

Site Location: 32855 Jones Road
Frankford, DE 19945

Current Zoning: Agricultural Residential (AR-1)

Type of Conditional
Use Requested: Boat and RV Storage Lot

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Hudson

School District: Indian River School District

Fire District: Millville Fire District

Sewer: Tier 4- System Optional Area

Water: Private

Site Area: 3.93 acres +/-

Tax Map ID.: 134-14.00-36.00



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



Sussex County
DELAWARE
sussexcountype.gov

Memorandum

To: Sussex County Planning Commission Members
From: Chase Phillips, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: May 28, 2020
RE: Staff Analysis for CU 2223 A&W Burbage, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2223 to be reviewed during the June 11, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 134-14.00-36.00. The current zoning is AR-1 Agricultural Residential, and the request is for a Boat and RV Storage Lot. The parcel is located on the northeast corner of the intersection of Jones Road (S.C.R. 369) and Burbage Road (S.C.R. 353). The size of the property is 3.93 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the property has the land use designation of "Coastal Area." The Coastal Area is designated to encourage growth and development without diminishing ecological and environmental characteristics. The Coastal Area may include various types of housing, small-scale retail and office, light commercial, and institutional land uses. Sussex's County base density of two (2) units per acre is appropriate. Medium and higher densities (4-12 units per acre) may be appropriate in select locations.

The parcel is located with an Agricultural Residential (AR-1) Zoning District. In addition, each of the parcels that directly border the property are also zoned AR-1. The subject parcel is bordered by a light commercial use to the east (Delaware Electric Cooperative, Inc.), agricultural uses to the north and west, and low density residential/ agricultural uses to the south.

Since 2011, there have been no other Conditional Uses within one mile of the subject site.

Based on the analysis of the land use, surrounding zoning and uses, a Conditional Use to allow for Boat and RV Storage Lot within an AR-1 Zone could be considered as consistent with the surrounding area, zoning, and uses.

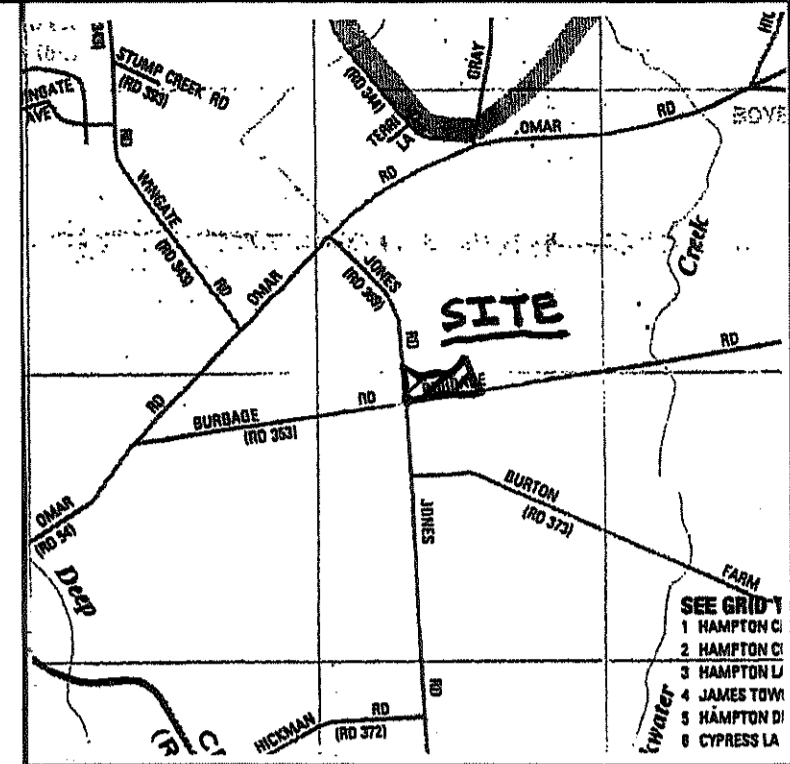




LANDS OF:
 DAVID I. WINGATE
 (D.B. 824, P. 335)
 T.M.#: 1-34-14.00-21.00
 ZONED: AR-1
 CURRENT USE: AG FIELD

BLACKWATER TAX DITCH PRONG 2

NOTE:
 PROPERTY LINE IS BY AND WITH
 THE CENTERLINE OF THE DITCH

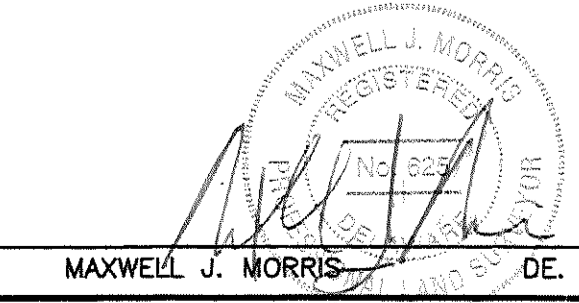
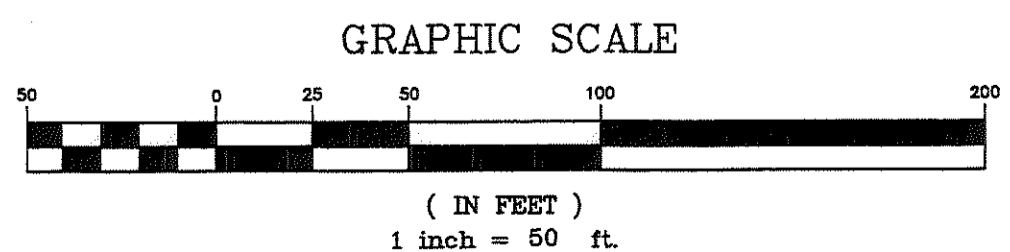
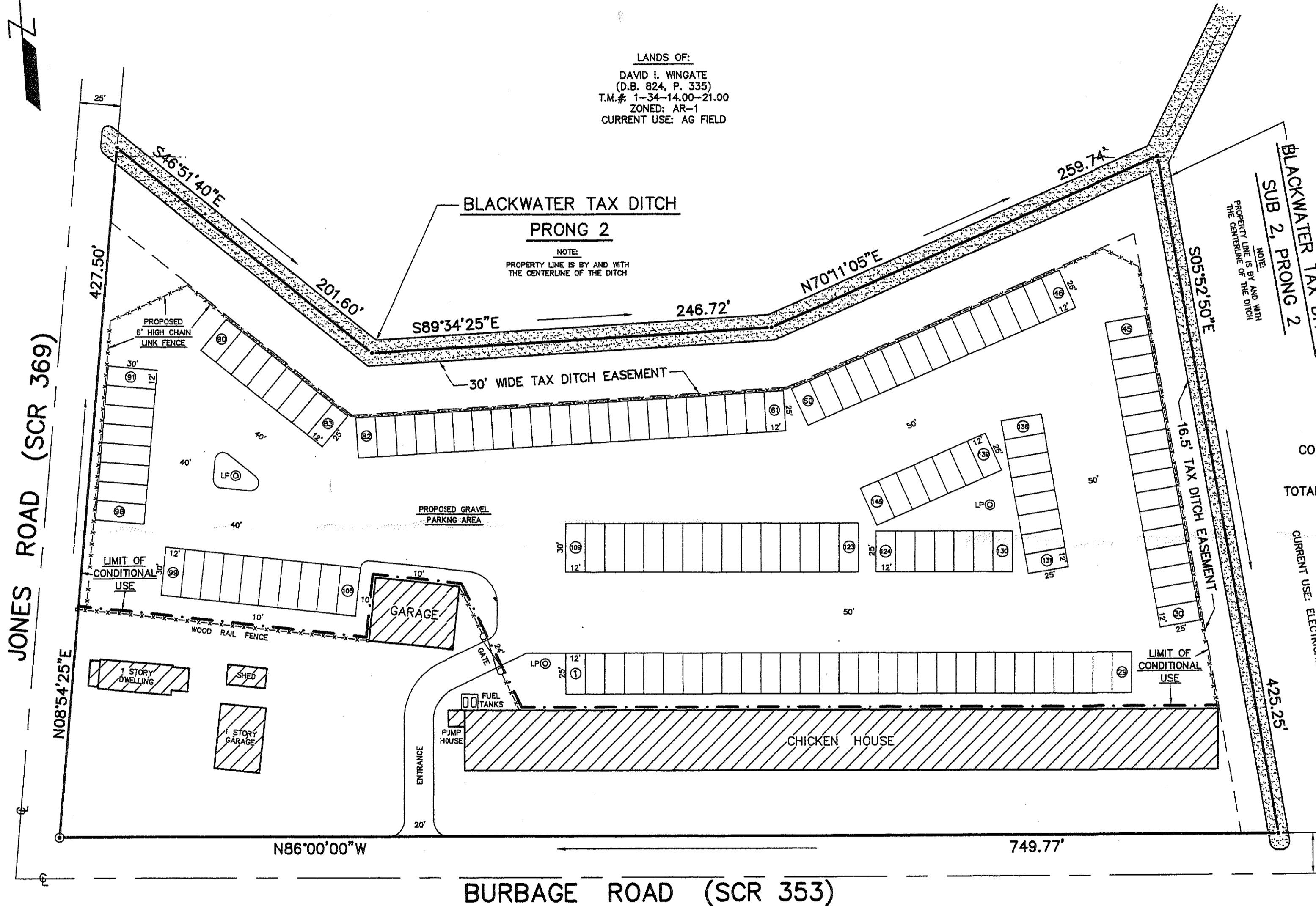


DATA COLUMN

OWNER: A & W BURBAGE, LLC
 32 HIDDEN MEADOWS TERRACE
 MILFORD, DE. 19963
 APPLICANT: CAROL B. EVANS &
 GERALD A. BURBAGE
 32883 JONES ROAD
 FRANKFORD, DE. 19945
 DEED REFERENCE: D.B. 4616, P. 116
 TAX MAP PARCEL #: 1-34-14.00-36.00 (PART OF)
 ZONING: AR-1
 TOTAL AREA: 5.56 ACRES ±
 CONDITIONAL USE AREA: 3.93 ACRES ±
 CURRENT USE: AG FIELD
 PROPOSED USE: BOAT & RV STORAGE LOT
 TOTAL SPACES PROPOSED: 145 SPACES

NOTES:

LANDS OF:
 DELAWARE ELECTRIC COOPERATIVE, INC.
 (D.B. 2768, P. 6, 21, 01)
 T.M.#: 1-34-14.00-21.01
 ZONED: AR-1
 CURRENT USE: ELECTRICAL SUB-STATION



| REVISIONS | BY |
|-----------|----|
| | |
| | |
| | |
| | |

| | |
|--|-------------------------------|
| CONDITIONAL USE SITE PLAN | LANDS OF: |
| | A & W BURBAGE, LLC |
| BALTIMORE HUNDRED * SUSSEX COUNTY * DELAWARE | |

| |
|--|
| Delaware Surveying Services Surveying * Design * Consulting P.O. BOX 88 * BETHANY BEACH, DE. * 19930 (302) 537-7094 |
| DATE: DEC. 18, 2019 |
| SCALE: 1" = 50' |
| AREA: 5.56 ACRES ± |
| TAX MAP #: 1-34-14.00-36.00 |
| DRAWING #: 19-042 |

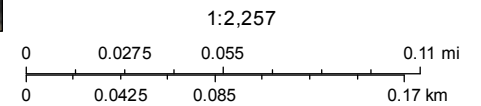


Sussex County



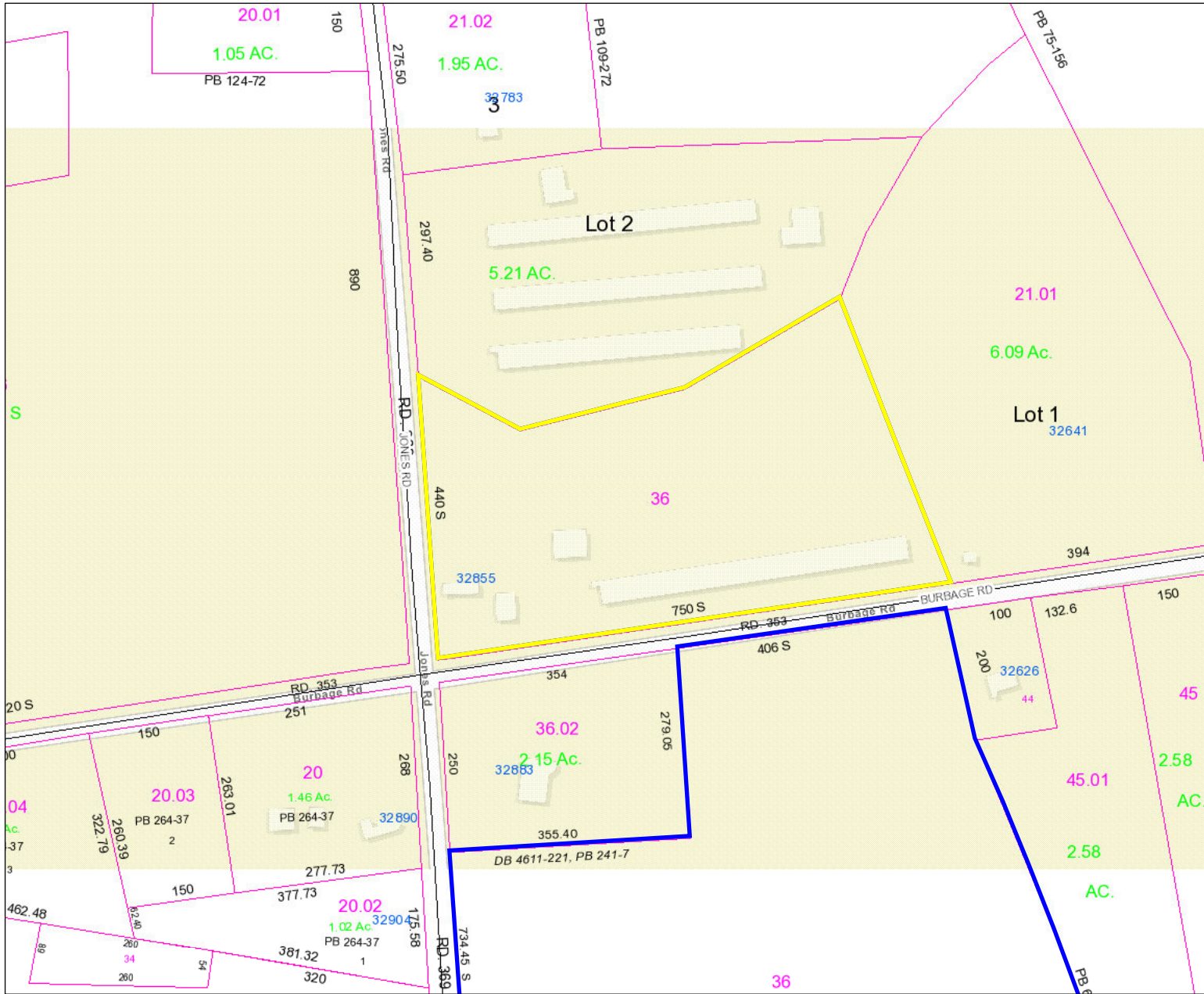
| | |
|------------------------|-----------------------|
| PIN: | 134-14.00-36.00 |
| Owner Name | A W BURBAGE LLC |
| Book | 4616 |
| Mailing Address | 32 HIDDEN MEADOWS TER |
| City | MILFORD |
| State | DE |
| Description | E W/S RD 369 N |
| Description 2 | S/S RD 373 353 |
| Description 3 | FX |
| Land Code | |

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



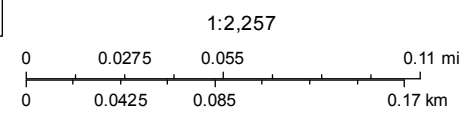


Sussex County



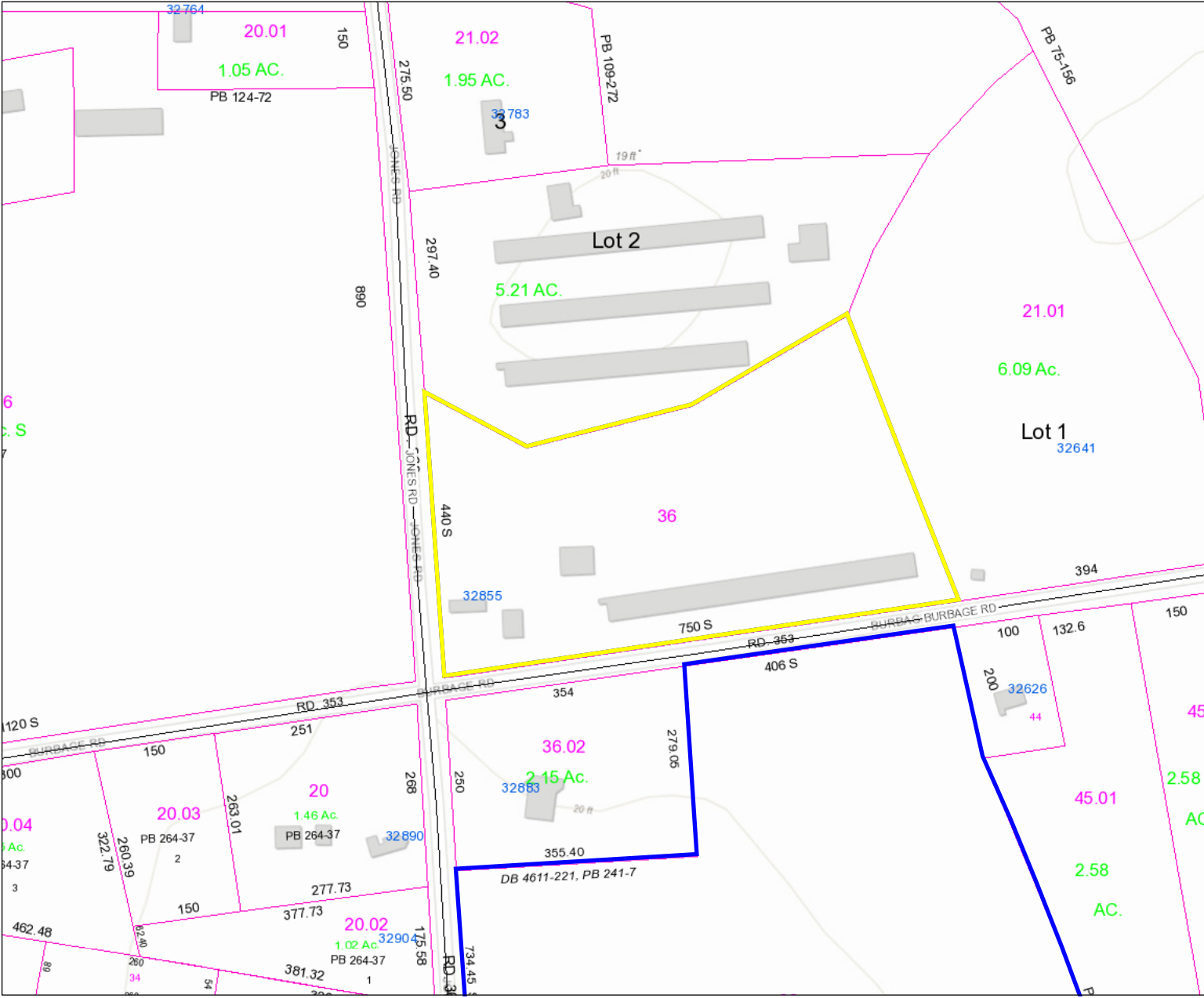
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- Tax Parcels
- 911 Address
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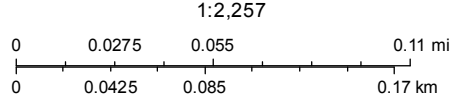


Sussex County



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 - Override 1
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- Tax Parcels
- 911 Address
- Streets



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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **5/27/2020**

APPLICATION: **CU 2223 – A&W Burbage, LLC**

APPLICANT: **Gerald A Burbage and Carol B. Evans**

FILE NO: **ROX-1.01**

TAX MAP &
PARCEL(S): **134-14.00-36.00**

LOCATION: **32855 Jones Road**

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

GROSS
ACREAGE: **3.93+/-**

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

SEWER:

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

district? **No**

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

- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed CU is in a Tier 4 area for sanitary sewer service. Therefore, the Sussex County Engineering Department does not have a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



John J. Ashman
Director of Utility Planning

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



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

JENNIFER COHAN
SECRETARY

December 16, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **AW Burbage, LLC** conditional use application, which we received on November 19, 2019. This application is for an approximately 120.87-acre parcel (Tax Parcel: 134-14.00-36.00). The subject land is located on both sides of Jones Road (Sussex Road 369), both sides of Burton Farm Road (Sussex Road 373); and both sides of Burbage Road (Sussex Road 353), east of Jones Road. The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking a conditional use approval to utilize part of the parcel for boat and RV storage.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Jones Road where the subject land is located, which is from Daisey Road (Sussex Road 370) to Omar Road (Sussex Road 54), are 553 and 712 vehicles per day, respectively. As mentioned above, the subject land also has frontage along Burton Farm Road and Burbage Road. The annual average and summer average daily traffic volumes along Burton Farm Road are 484 and 623 vehicles per day, respectively. The annual average and summer average daily traffic volumes along Burbage Road, from Omar Road to Delaware Route 17, are 1,473 and 1,896 vehicles per day, respectively.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this conditional use application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.

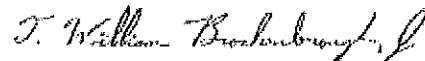


Ms. Janelle M. Cornwell
Page 2 of 2
December 16, 2019

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

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
AW Burbage, LLC, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination