

## PLANNING & ZONING COMMISSION

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J. BRUCE MEARS  
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## Sussex County

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

### PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date October 8th, 2020

Application: CU 2234 James Jones

Applicant/Owner: James Jones  
28984 Cordrey Rd  
Millsboro, DE 19966

Site Location: 28984 Cordrey Rd. On the south side of Cordrey Rd (S.C.R. 308),  
approximately 0.12 miles east of William Street Rd (S.C.R. 309)

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Fiberglass Swimming Pool & Spa Display/ Landscaping Business

Comprehensive Land  
Use Plan Reference: Low Density

Councilmatic  
District: Mr. Hudson

School District: Indian River School District

Fire District: Indian River Volunteer Fire Company

Sewer: Septic

Water: Private

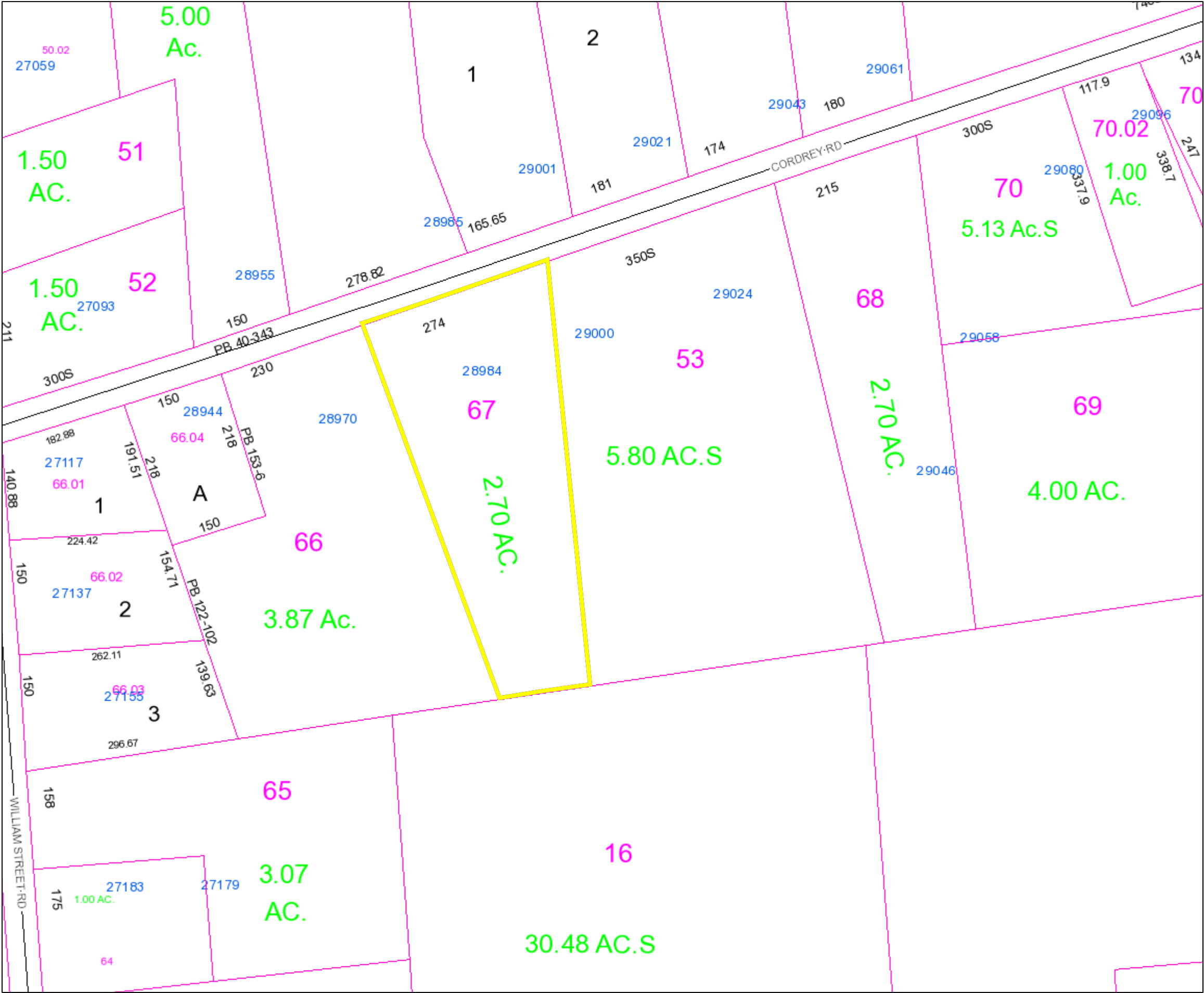
Site Area: 2.70 Acres +/-

Tax Map ID.: 234-28.00-67.00





Sussex County

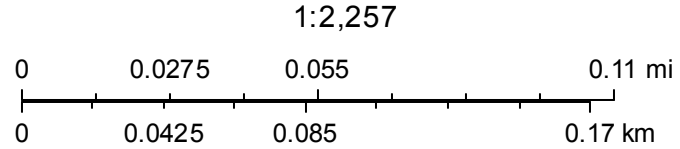


PIN:	234-28.00-67.00
Owner Name	JONES YVONNE R
Book	4459
Mailing Address	10A CEDAR LANE
City	FRANKFORD
State	DE
Description	S SD CO RD
Description 2	WAPLES MILL TO O OR
Description 3	2.70 ACRES
Land Code	

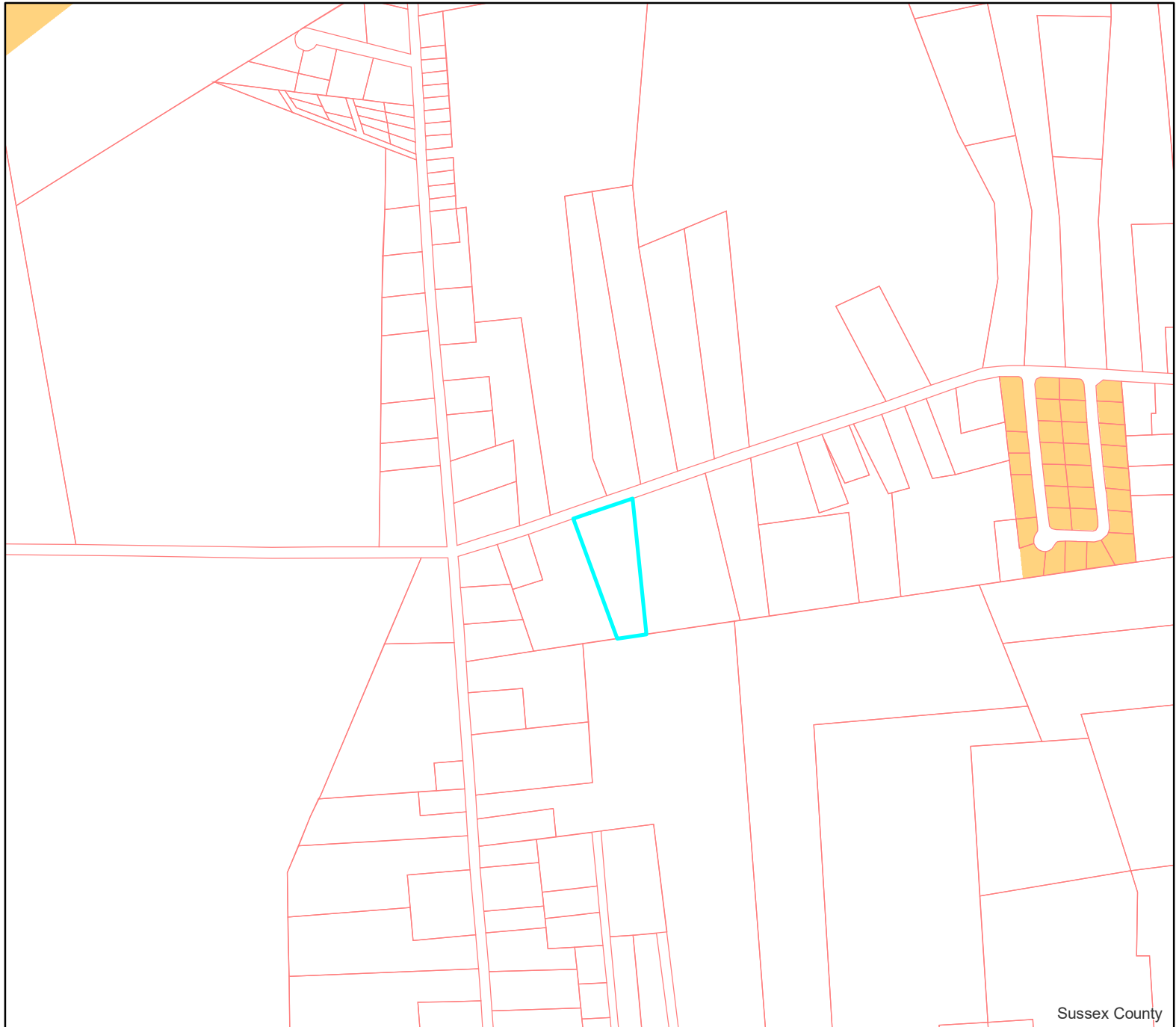
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Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Subdivisions
- Municipal Boundaries



# CU 2234 James Jones



## Legend

### Zoning

### District

 Agricultural Residential - AR-1

 Agricultural Residential - AR-2

 Medium Residential - MR


 General Residential - GR

 High Density Residential - HR-1

 High Density Residential - HR-2

 Vacation, Retire, Resident - VRP

 Neighborhood Business - B-1

 Neighborhood Business - B-2

 General Commercial - C-1

 General Commercial - C-2

 General Commercial - C-3


 General Commercial - C-4


 General Commercial - C-5

 Commercial Residential - CR-1

 Institutional - I-1

 Marine - M

 Limited Industrial - LI-1

 Limited Industrial - LI-2

 Heavy Industrial - HI-1





Sussex County



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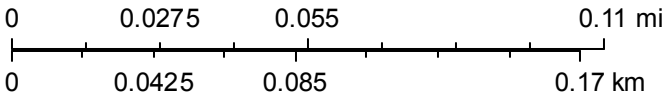
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polygonLayer

Override 1

- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Subdivisions
- Municipal Boundaries

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JAMIE WHITEHOUSE, AICP, MRTPI  
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## Memorandum

To: Sussex County Planning Commission Members  
From: Nick Torrance, Planner I  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: October 1, 2020  
RE: Staff Analysis for CU 2234 James Jones

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2234 James Jones to be reviewed during the October 8, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 234-28.00-67.00 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District for a fiberglass swimming pool and spa display and landscaping business. The parcel is located on the south side of Cordrey Rd. (S.C.R. 308) in Millsboro, Delaware. The size of the property is approximately 2.70 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework for 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 Low-Density Area.

The surrounding parcels to the southwest, west, and northwest are all designated on the Future Land Use Map as "Low Density". The uses that the Low-Density Area land use designation recognizes are primarily agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas.

The property is zoned AR-1 (Agricultural Residential Zoning District). The adjoining and surrounding properties located within the county jurisdiction to the southwest, west, and northwest are all zoned AR-1 (Agricultural Residential Zoning District).

Since 2011, there have been no Conditional Use approvals within a 1-mile radius of the application site.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for a public utility elevated storage tank, 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**

28984 Cordrey Rd. Millsboro, DE 19966

**Type of Conditional Use Requested:**

Fiberglass swimming pool + spa display

Tax Map #: 234-28.00-67.00

Size of Parcel(s): 2.70 Ac

Current Zoning: AR-1 Proposed Zoning: \_\_\_\_\_ Size of Building: \_\_\_\_\_

Land Use Classification: Conditional

Water Provider: \_\_\_\_\_

Sewer Provider: \_\_\_\_\_

**Applicant Information**

Applicant Name: James Jones

Applicant Address: 28984 Cordrey Rd

City: Millsboro

State: DE

Zip Code: 19966

Phone #: 302-752-6233

E-mail: cordwatercleanlawn@gmail.com

**Owner Information**

Owner Name: James Jones

Owner Address: 28984 Cordrey Rd.

City: Millsboro

State: DE

Zip Code: 19966

Phone #: 302-752-6233

E-mail: cordwatercleanlawn@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: 2-21-2020

## 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

JENNIFER COHAN  
SECRETARY

March 16, 2020

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

Dear Mr. Jamie:

The Department has completed its review of a Service Level Evaluation Request for the **James Jones** conditional use application, which we received on February 21, 2020. This application is for an approximately 2.70-acre parcel (Tax Parcel: 234-28.00-67.00). The subject land is located on the south side of Cordrey Road (Sussex Road 308), approximately 600 feet east of the intersection of Cordrey Road and William Street Road (Sussex Road 309). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to use the existing 1,200 square-foot pole building for a fiberglass pool and spa display / landscaping business.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Cordrey Road where the subject land is located, which is from William Street Road to Streets Road (Sussex Road 310), is 729 vehicles per day.

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

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  
March 16, 2020

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

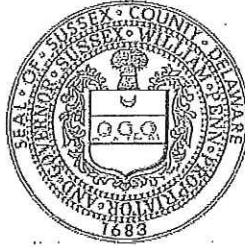
TWB:cjm

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

**PLANNING & ZONING**

JANELLE M. CORNWELL, AICP  
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: 2-21-2020

**Site Information:**

Site Address/Location: 28984 Cordrey RD Millsboro DE 19966

Tax Parcel Number: 234-28.00-67.00

Current Zoning: AR-1

Proposed Zoning: CU

Land Use Classification: Conditional

Proposed Use(s):

Fiberglass pool and SPA Display / Landscaping business  
Square footage of any proposed buildings or number of units: 30x50 existing pole building

**Applicant Information:**

Applicant's Name: James Jones

Applicant's Address: 28984 Cordrey RD  
City: Millsboro State: DE Zip Code: 19966

Applicant's Phone Number: 302-752-6233

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





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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/21/2020**

APPLICATION: **CU 2234**

APPLICANT: **James Jones**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **234-28.00-67.00**

LOCATION: **28984 Cordrey Road. On the east side of Cordrey Road (SCR 308), approximately 0.12 miles east of William Street Road (SCR 309)**

NO. OF UNITS: **Fiberglass Swimming Pool & Spa Display/ Landscaping Business.**

GROSS  
ACREAGE: **2.70**

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 \$6,360.00** 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 Conditional Use is not in an area where the Sussex County Engineering Department has a schedule to provide sanitary sewer service.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



John J. Ashman  
Director of Utility Planning

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



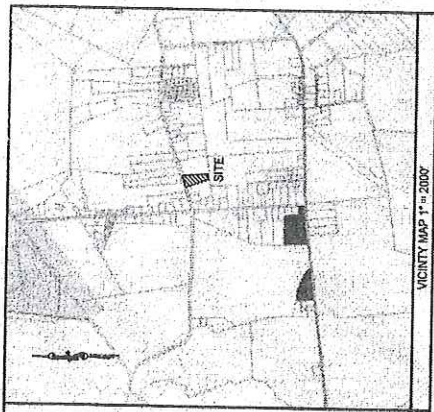
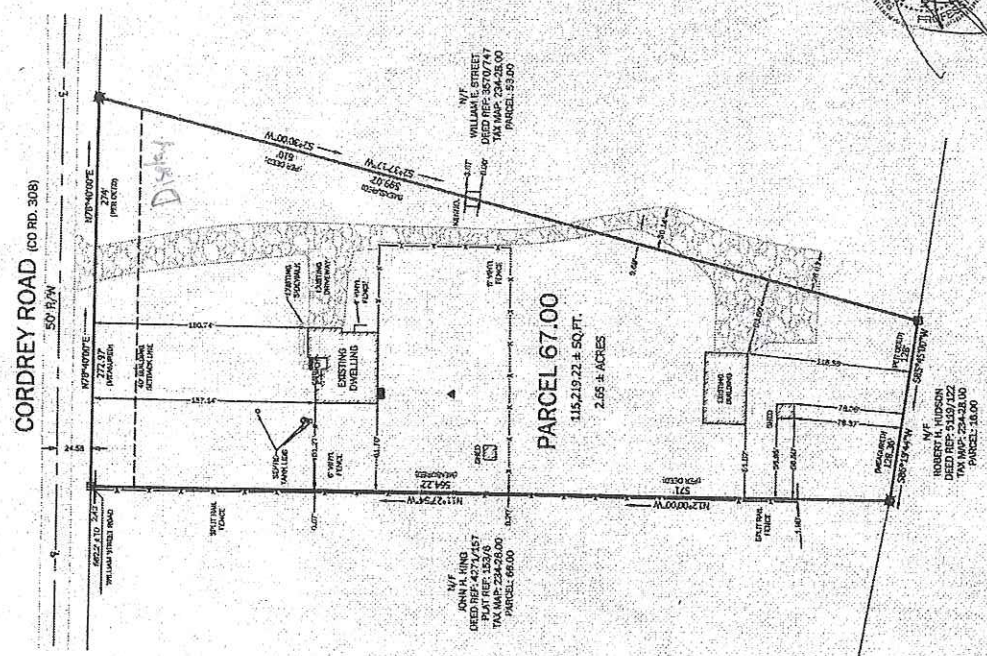
PER DEED REF: 459/118

**LEGEND**

- CONCRETE MONUMENT FOUND
- IRON ROD W/ CAP FOUND
- CLEAN CUT
- EXISTING WELL
- EDGE OF PAVING
- BUILDING SETBACK LINE (BSL)
- FENCE
- GRAVEL

**GENERAL NOTES**

- 1) THE PROPERTY SHOWN HEREON IS CURRENTLY OWNED BY: YONKE & A JAMES EVERETTE JONES
- 2) DEED REFERENCE: 459/118
- 3) TOTAL AREA OF PARCELS = 1.1
- 4) TOTAL AREA OF PARCELS = 2.69 ± ACRES / 115,310.22 ± SQ. FT.
- 5) TOTAL AREA OF PARCELS = 2.69 ± ACRES / 115,310.22 ± SQ. FT.
- 6) TOTAL AREA OF PARCELS = 2.69 ± ACRES / 115,310.22 ± SQ. FT.
- 7) NO TITLE REPORT HAS BEEN PROVIDED FOR OUR USE. THEREFORE, THE EXISTENCE OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS IN THE PROPERTY MUST BE REVEALED BY A THOROUGH TITLE SEARCH.



PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DELAWARE LICENSED PROFESSIONAL ENGINEER, LICENSE NO. 23227, EXPIRATION DATE: JUNE 30, 2024.

*Brock E. Parker*  
BROCK E. PARKER  
DATE: 2/18/20

<b>BOUNDARY SURVEY PLAN</b> <b>28984 CORDREY RD</b> <b>FOR JAMES JONES</b>		SURVEYING CIVIL ENGINEERING SITE PLANNING
LOCATION INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE	DATE 02/07/2020	SHEET NO. 294-38.00
SCALE 1" = 60'	DRAWN BY AMH	CHECKED BY 87.00
PROJECT NO. 85227 BOUNDARY		TOTAL SHEETS 294-38.00