

PLANNING & ZONING COMMISSION

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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: January 7th, 2021

Application: CU 2245 Johnathan Plump

Applicant: Johnathan Plump
20723 Milton Ellendale Highway
Ellendale, DE 19941

Owner: Johnathan Plump
20723 Milton Ellendale Highway
Ellendale, DE 19941

Site Location: 20723 Milton Ellendale Highway
Ellendale, DE 19941

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

Proposed Use: Outdoor Boat and RV Storage

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Mr. Schaffer

School District: Cape Henlopen School District

Fire District: Ellendale Fire Department

Sewer: Private (septic system)

Water: Private (well)

Site Area: 4.5 acres +/-

Tax Map ID.: 235-13.00-2.02 & 2.03





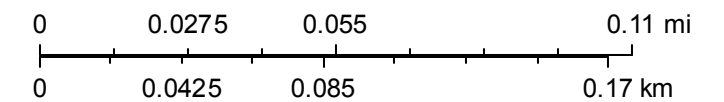
Sussex County



PIN:	235-13.00-2.02
Owner Name	PLUMP JONATHAN J
Book	4915
Mailing Address	20723 MILTON ELLENDALE
City	ELLENDALE
State	DE
Description	NE/RT 16
Description 2	NW/ RD 226
Description 3	LOT #2
Land Code	

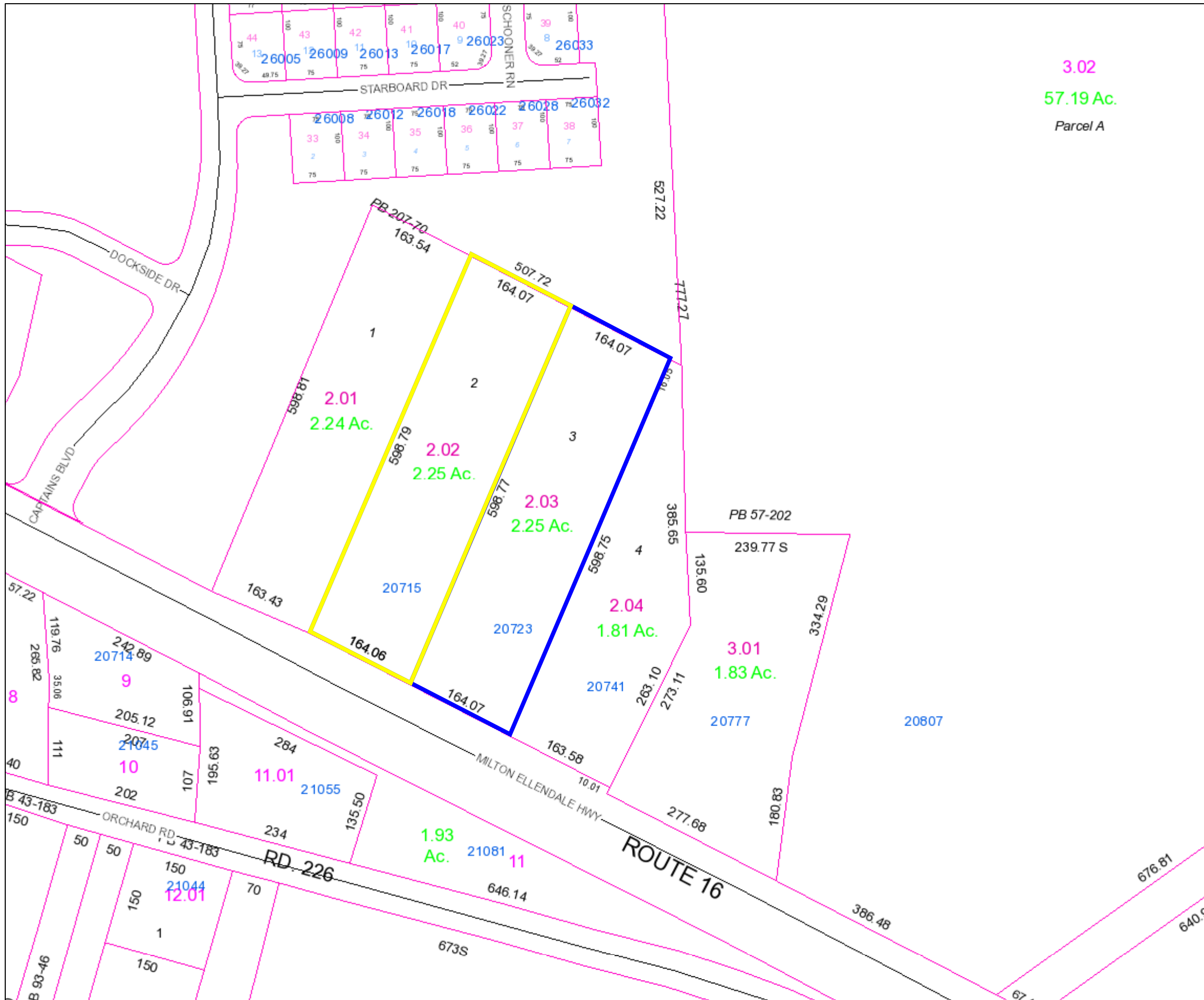
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- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- Fire Districts
- County Boundaries
- Municipal Boundaries

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Sussex County



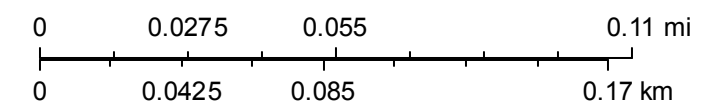
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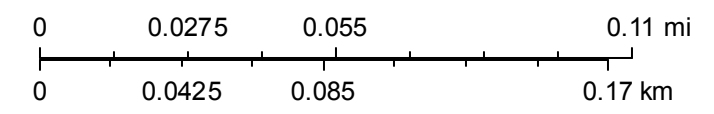
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Override 1
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Memorandum

To: Sussex County Planning Commission Members
From: Chase Phillips, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: December 03, 2020
RE: Staff Analysis for CU 2245 (Johnathan Plump)

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2245 to be reviewed during the January 07, 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 Parcels 235-13.00-2.02 and 235-13.00-2.03 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District for outdoor boat and RV storage. The parcel is located on the north side of Milton Ellendale Highway (Rt. 16) in Ellendale, Delaware. The area of the site (i.e. both parcels) is approximately 4.5 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 the "Low-Density Area." The Low Density Area classification is designed to support the preservation of farmland, sustain agriculture, maintain the rural landscape, and accommodate mostly low-density single-family residential development.

The surrounding parcels to the east, southeast, and south are also in a "Low Density Area." The parcel that makes up the north and northwestern boundary of the subject property is within the "Existing Development Area." This parcel is a residential development known as Captain's Way.

The property is within an Agricultural Residential (AR-1) Zoning District. The parcels to the east, southeast, and south are also within an AR-1 Zoning District. The parcel to the north and northwest is within a General Residential – Residential Planned Community (GR-RPC) Zoning District.

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

Based on the analysis above, the Conditional Use to allow for outdoor boat and RV storage could be considered as consistent with the surrounding zoning and land uses given proposals of scale and impact.



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

20723 Milton Ellendale Hwy Ellendale DE 19941 + Lot 2

Type of Conditional Use Requested:

Outdoor Boat + RV Storage

Tax Map #: 235-13.00-2.02, 2.03 Size of Parcel(s): 4.5 Acres +-

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

Land Use Classification: Boat + RV Storage Lot

Water Provider: well Sewer Provider: septic

Applicant Information

Applicant Name: Jonathan Plump
Applicant Address: 20723 Milton Ellendale Hwy
City: Ellendale State: DE Zip Code: 19941
Phone #: 302-249-2857 E-mail: JJ Plump @ Gmail . Com

Owner Information

Owner Name: Jonathan Plump
Owner Address: 20723 Milton Ellendale Hwy
City: Ellendale State: DE Zip Code: 19941
Phone #: 302-249-2857 E-mail: JJ Plump @ 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: 9/15/2020

Signature of Owner



Date: 9/15/2020

For office use only:

Date Submitted: 9.15.20 Fee: \$500.00 Check #: 1132
Staff accepting application: RLW Application & Case #: 202011166
Location of property: 20723 ELLENDALE MILTON HWY

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

January 5, 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 **Jonathan Plump** conditional use application, which we received on December 4, 2020. This application is for an approximately 4.05-acre assemblage of parcels (Tax Parcels: 235-13.00-2.02 and 2.03). The subject land is located at the north side of Delaware Route 16, approximately 1,900 feet east of Orchard Road (Sussex Road 226). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to utilize the facility as an outdoor RV and boat storage (90 spots).

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Delaware Route 16 where the subject land is located, which is from the east limits of Ellendale to Saw Mill Road (Sussex Road 238), are 7,561 and 9,731 vehicles per day, respectively.

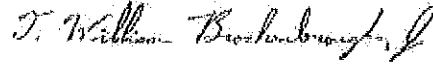
Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. 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
January 5, 2021

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

Sincerely,

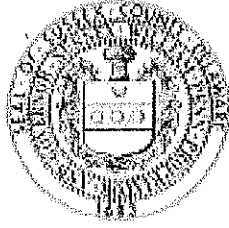


T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Jonathan Plump, 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

PLANNING & ZONING
Jamie Whitehouse, AICP, MRTPI
Director
(302) 855-7878 F
(302) 864-8079 F



Sussex County
DELAWARE
sussexcountyle.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: 12/3/20

Site Information:

Site Address/Location: 20723 and 20715 Milton Ellendale Hwy (Back of properties)

Tax Parcel Number: 235-13.00-2.02 and 2.03

Current Zoning: AR1

Proposed Zoning: Conditional Use

Land Use Classification: RS and RI

Proposed Use(s): RV and Boat outdoor storage

Square footage of any proposed buildings or number of units: 90 spots

Applicant Information:

Applicant's Name: Jonathan Plump

Applicant's Address: 20723 Milton Ellendale Hwy

City: Ellendale

State: DE

Zip Code: 19941

Applicant's Phone Number: 302-249-2857

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



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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **4/5/2021**

APPLICATION: **CU 2245 Johnathan Plump**

APPLICANT: **Johnathan Plump**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **235-13.00-2.02 & 2.03**

LOCATION: **20273 Milton Ellendale Highway, Ellendale**

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

GROSS
ACREAGE: **4.5**

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.

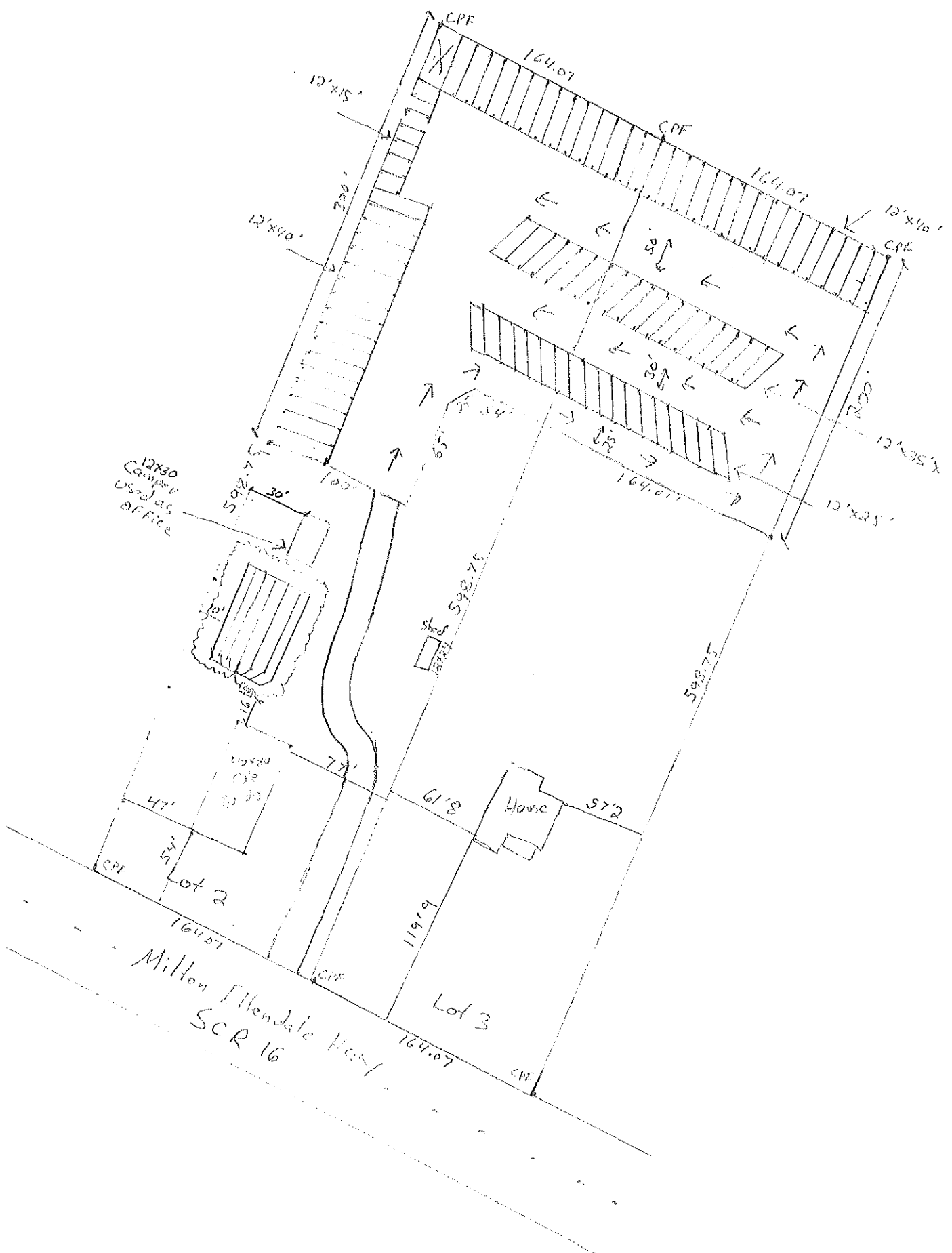
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Conditional Use is not in an area where the Sussex County Engineering Department currently has a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (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.
Lisa Walls
No Permit Tech Assigned



THE SMITH FIRM, LLC

ATTORNEYS AT LAW

MICHAEL R. SMITH
smith@vslegal.net

CHAD R. LINGENFELDER*
lingenfelder@vslegal.net
*ADMITTED IN DE & MD

8866 RIVERSIDE DR.
P.O. BOX 1587
SEAFORD, DELAWARE 19973
PHONE: (302) 875-5595
FAX: (302) 280-6592

BLAKE W. CAREY
carey@vslegal.net

RECEIVED

APR 20 2021

SUSSEX COUNTY
PLANNING & ZONING

April 16, 2021

Transmitted via USPS First Class Mail
Planning and Zoning Commission
2 The Circle
P.O. Box 417
Georgetown, DE 19947

RE: C/U 2245 – Jonathan Plump

To Whom It May Concern:

Please be advised that I provide legal representation to Jonathan Plump. My client has asked me to enter my appearance in the above-referenced matter and to provide representation at the April 22, 2021 Planning and Zoning Commission Public Hearing on Mr. Plump's Conditional Use petition.

My client will not be able to attend the Planning and Zoning meeting, however he will attend the meeting via phone and the call-in line.

Lastly, I have enclosed with this representation letter supplemental documents for the Board's consideration. I understand that it is past the ten (10) days to supplement the record, however the documents included are only topographical pictures showing the properties and the surrounding properties.

Thank you for your time and attention. If you have any questions, comments, or concerns, please feel free to contact me.

Respectfully,
The Smith Firm, LLC


Chad R. Lingenfelder, Esq.

Enclosures

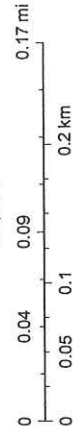
Sussex County



April 16, 2021

- Streets
- County Boundaries

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Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sussex County Government