

PLANNING & ZONING COMMISSION

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KIM HOEY STEVENSON, VICE-CHAIRMAN
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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: June 24, 2021

Application: CU 2250 Paola Pacheco Vasquez

Applicant: Paola Pacheco Vasquez
125 E. Holly Drive
Lincoln, DE 19960

Owner: Paola Pacheco Vasquez
125 E. Holly Drive
Lincoln, DE 19960

Site Location: NW/ Clendaniels Road (S.C.R. 625)

Current Zoning: Agricultural Residential (AR-1)

Proposed Use: No zoning change is proposed

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Mrs. Green

School District: Milford School District

Fire District: Ellendale Fire Department

Sewer: Private, on-site septic

Water: Private, on-site septic

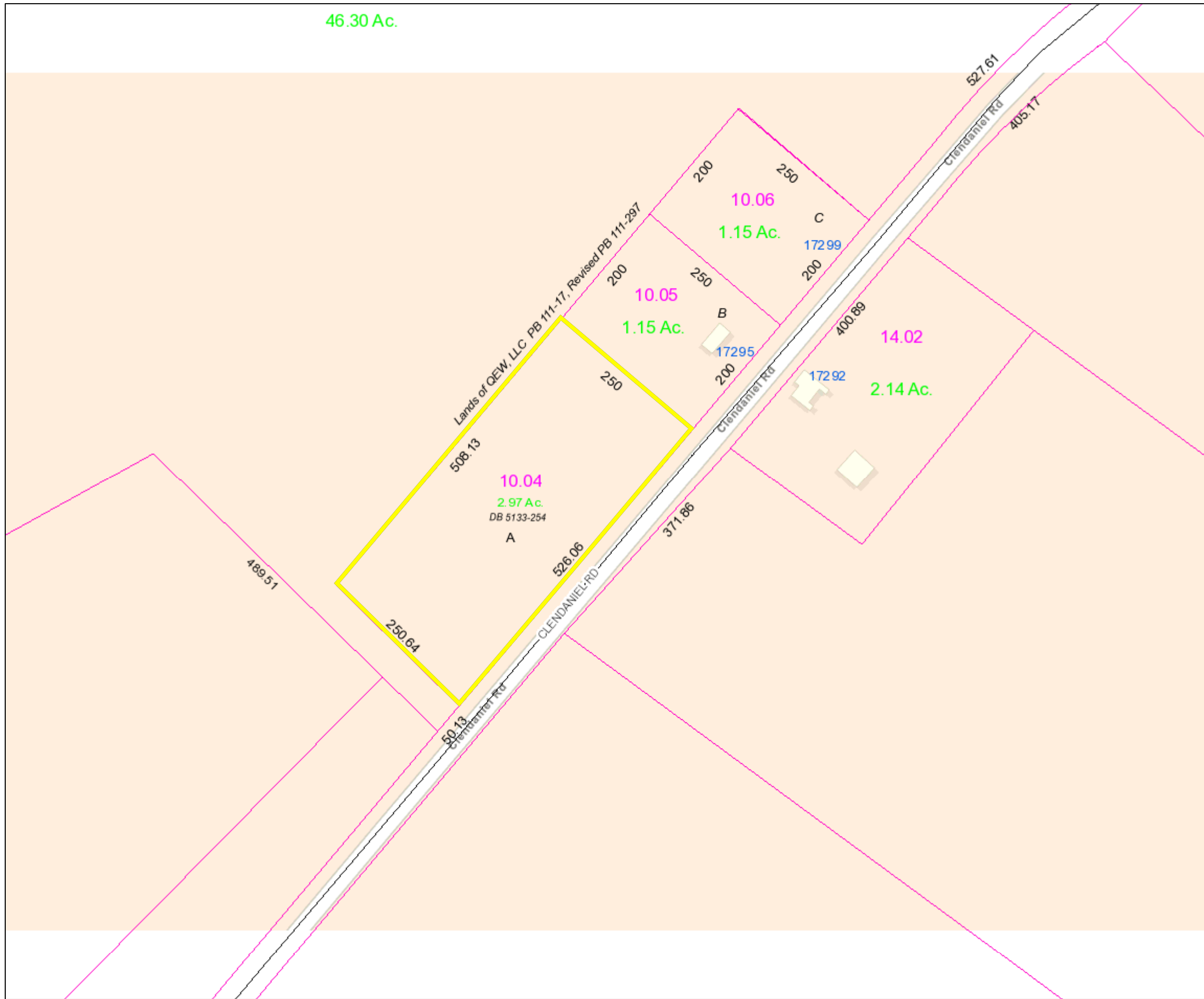
Site Area: 2.97 ac. +/-

Tax Map ID.: 230-12.00-10.04





Sussex County



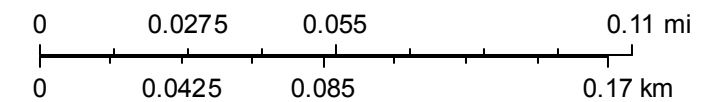
PIN:	230-12.00-10.04
Owner Name	VAZQUEZ PAOLA DE JESUS PACHECO
Book	5133
Mailing Address	125 E HOLLY DR
City	LINCOLN
State	DE
Description	N/RD 625
Description 2	W/RT 113
Description 3	LOT A
Land Code	

- polygonLayer

Override 1
- polygonLayer

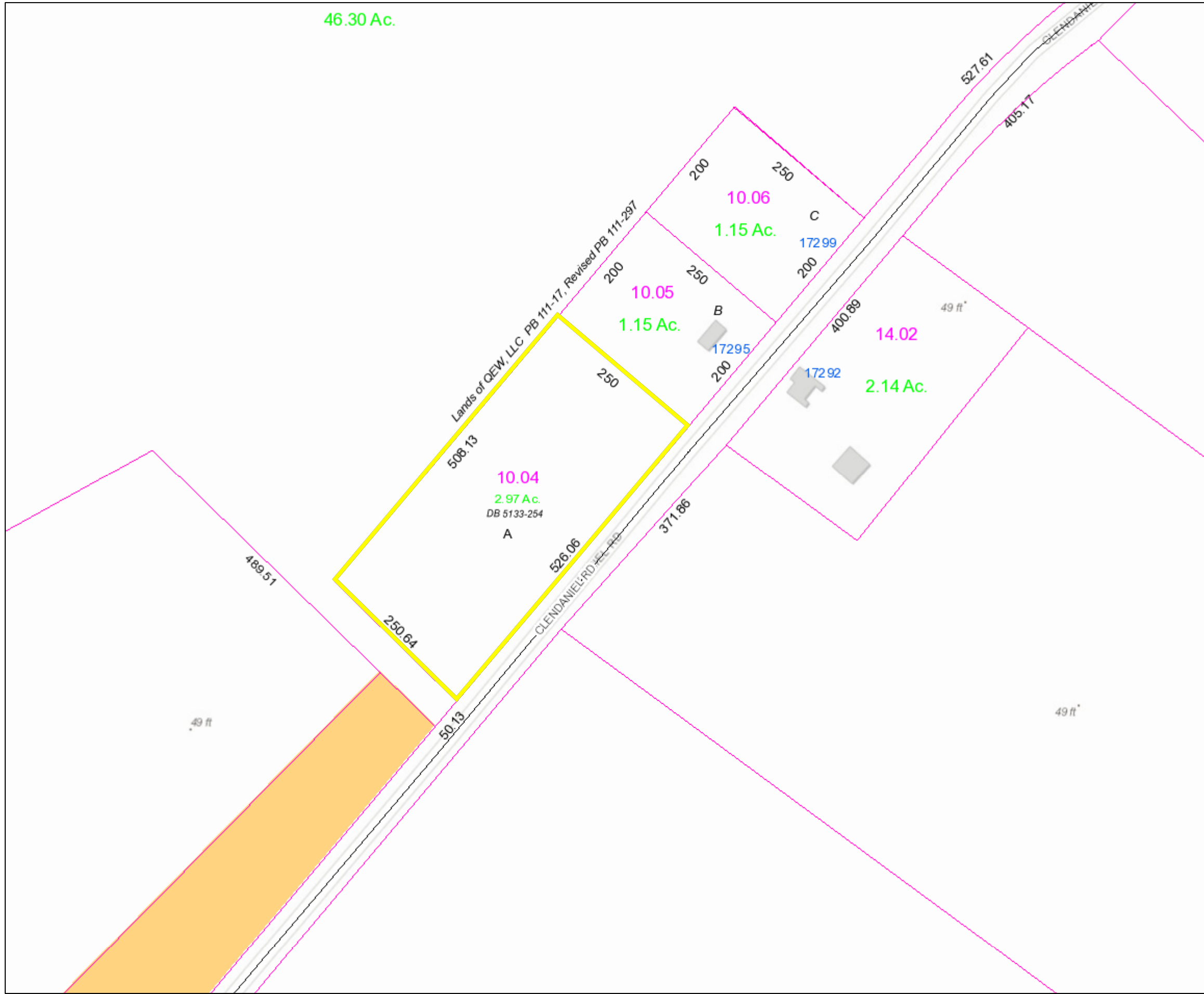
Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

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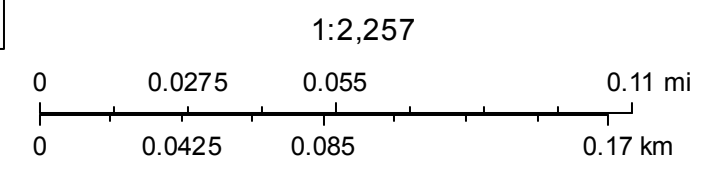


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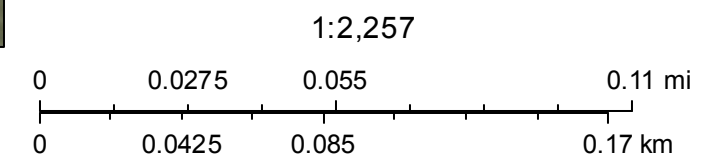


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- 911 Address
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- County Boundaries



FULLNAME	Second_Owner_Name	MAILINGADD	CITY	STATE	ZIPCODE
SELBYVILLE TOWNE VILLAGE LLC		PO BOX 212	LEWES	DE	19958
MIKHALEVSKY PETER N TTEE REV TR	LITSA N MIKHALESKY TTEE REV TR	4507 N 26TH ST	ARLINGTON	VA	22207
LENCRAFT LLC		7035 ALBERT EINSTEIN DR STE 200	COLUMBIA	MD	21046
MARSH MATTHEW E	CINDY A MARSH	108 LAKS DR	MIDDLETOWN	DE	19709

JAMIE WHITEHOUSE, AICP, MRTPI
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(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: Chase Phillips, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: June 14th, 2021
RE: Staff Analysis for CU 2250 Paola Pacheco Vasquez

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2250 Paola Pacheco Vasquez to be reviewed during the June 24th, 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 230-12.00-10.04 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District for a construction business, work trailer, and outdoor storage. The parcel is located on the northwest side of Clendaniel Road (S.C.R. 625), approximately 0.65 mile west of Dupont Boulevard in Lincoln. The area of the site is approximately 2.97 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." All neighboring properties are also designated as "Low Density."

The Low-Density land use designation recognizes that a single-family detached home at a density of two homes per acre should be standard. Additionally, land within the Low-Density area is frequently utilized for agriculture and similar activities. The Comprehensive Plan directs land use in this designation to be compatible with surrounding agricultural uses and to maintain the rural landscape.

The property is within an Agricultural Residential (AR-1) Zoning District. Additionally, each adjacent parcel is also within the AR-1 Zoning District. Furthermore, staff note that many of the surrounding parcels of land are within agricultural easement(s) that are administered and managed by the State of Delaware.

Since 1971, there have been 15 Conditional Uses within a one-mile radius of the subject property. 12 have been approved. One application was been denied. One application was withdrawn. The decisions of two applications are unknown. Attached to this memo is a table that provides a summary of each application.

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



CU #	Tax Parcel #	APPLICANT	Proposed Use	P&Z Decision	P&Z Decision Date	CC Decision Date	CC Decision
1649	230-12.00-22.00	Ronald W. Morgan	garage & parking of trucks & trailers	Recommended Denial	5/11/2006	9/12/2006	Denied
1133	230-12.00-16.00	David L & Carolyn Wilson	expand CU 687 sale of carriages/etc	Recommended Approval	10/12/1995	10/17/1995	Approved
517	230-12.00-17.00	David Wilson	enlarge existing auction barn	N/A	<Null>	<Null>	Approved
1225	230-19.00-14.00	David L. Wilson	Indoor/Outdoor Auction	Recommended Denial	2/26/1997	6/10/1998	Approved
672	230-12.00-23.00	David Wilson	furniture sales /car sales	Recommended Approval	<Null>	<Null>	Approved
682	230-12.00-14.00	Flossie Jefferson	flea market	Recommended Denial	<Null>	<Null>	Approved
1809	230-12.00-26.00	Curtis McDonald	produce/meats/butcher	Recommended Approval	1/14/2010	2/2/2010	Approved
923	130-8.00-36.00	William T. Sammons, Jr.	radio station & 322 ft tower	Recommended Approval	12/14/1989	12/27/1989	Approved
2250	230-12.00-10.04 230-19.00-14.00	Paola Pacheco Vaquez David L. Wilson	Construction Business (Office w/equipment storage)	<Null>	<Null>	<Null>	<Null>
1075	230-19.00-14.00	David L. Wilson	<Null> indoor/outdoor auction	Withdrawn	<Null>	<Null>	<Null>
1087	230-12.00-16.00	David L & Carolyn Wilson	expand CU 687 sale of carriages/etc	Recommended Denial	9/8/1994	12/20/1994	Approved
1133	230-12.00-17.00	Delaware Pulpwood	Farm Equipment Sales	Recommended Approval	10/12/1995	10/17/1995	Approved
158	230-12.00-17.00	Wilson's Auction Sales & Service	Enlarge Auction Barn	N/A	<Null>	<Null>	Withdrawn
296	230-12.00-17.00	Wilson's Auction Sales & Service	Enlarge Auction Barn	N/A	<Null>	10/14/1975	Approved
397	230-12.00-26.00	Dillard Winstead	guitar repair, arts & crafts & refinish furniture	N/A	<Null>	2/1/1977	Approved
687	230-12.00-16.00	David Wilson	Farmers Market/Auction	Recommended Approval	6/10/1982	6/29/1982	Approved

File #: CU 2250
2020/4/88

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

Clendaniels Road, Lincoln, DE 19960

Type of Conditional Use Requested:

A conditional Use for a construction Business - shop

Tax Map #: 230-12.00-10.04 Size of Parcel(s): ~ 2.97 acres
Current Zoning: AR-1 Proposed Zoning: — Size of Building: work trailer and storage container

Land Use Classification: Commercial (current operations)

Water Provider: private well Sewer Provider: None

Applicant Information

Applicant Name: PAOLA PACHECO VAZQUEZ
Applicant Address: 125 E. HOLLY DR.
City: LINCOLN State: DE Zip Code: 19960
Phone #: 302 3446498 E-mail: paola198303@gmail.com

Owner Information

Owner Name: PAOLA PACHECO VAZQUEZ
Owner Address: 125 E HOLLY DR.
City: LINCOLN State: DE Zip Code: 19960
Phone #: 302 3446498 E-mail: paola198303@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.
- DelDOT 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

P 

Date: 11/6/20

Signature of Owner

P 

Date: 11/6/20

For office use only:

Date Submitted: 11/10/20 Fee: \$500.00 Check #: _____
Staff accepting application: LB 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

July 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 **Paola De Jesus & Pacheco Vazquez** rezoning application, which we received on June 26, 2020. This application is for an approximately 2.97-acre parcel (Tax Parcel: 230-12.00-10.04). The subject land is located on the northwest side of Clendaniel Road (Sussex Road 625), approximately 2/3 of a mile southwest of the intersection of US Route 113 and Clendaniel Road. The subject land is currently zoned as AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to C-1 (General Commercial) to operate a construction business (shop).

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Clendaniel Road where the subject land is located is 372 vehicles per day.

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.

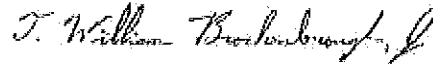
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse
Page 2 of 2
July 23, 2020

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

Sincerely,



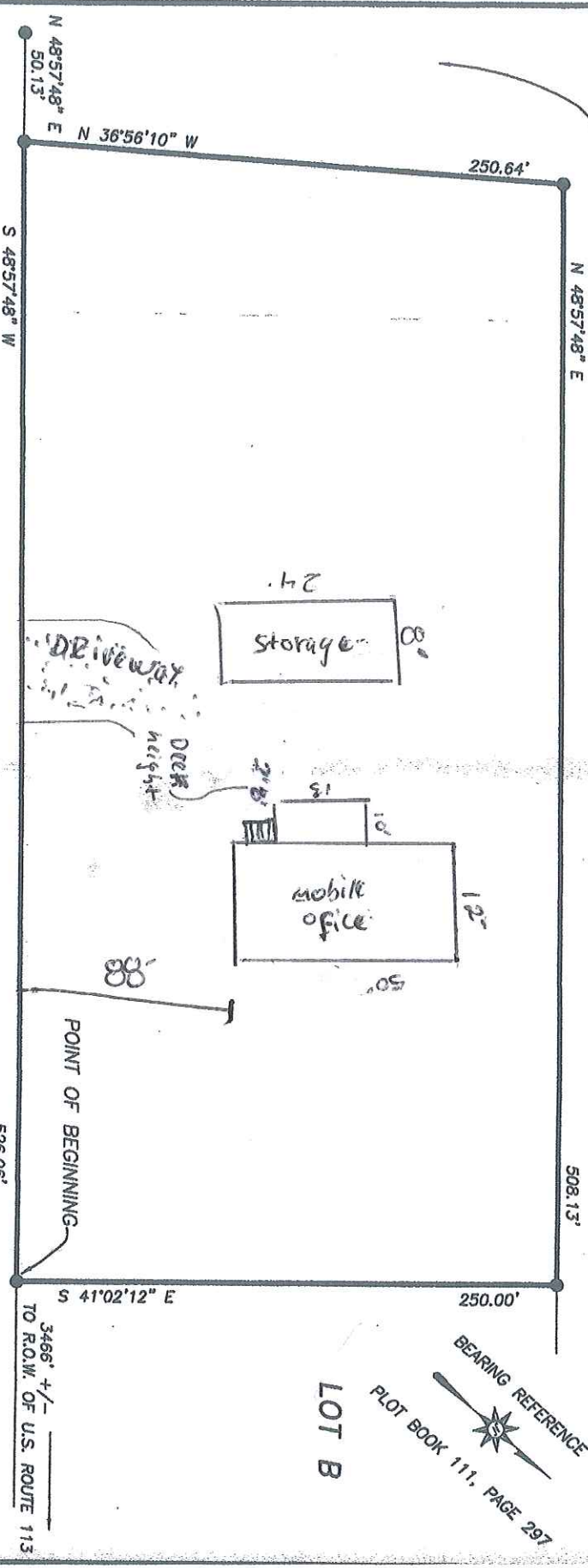
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Paola De Jesus & Pacheco Vazquez, Applicants
Todd Sammons, 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

LANDS N.O.F.
PALOMO, LLC
DEED BOOK 3614, PAGE 263

TAX MAP NO. 2-30-12.00-10.0
1. DOUGLAS J. ANNAND, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, DIMENSIONS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSARILY A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.



COUNTY ROAD 625-CLELANDANIEL ROAD
(50' WIDE)

BOUNDARY SURVEY PLAN

PREPARED FOR
**PAOLA DE JESUS PACHECO VAZQUEZ
& ELVIS ROLANDO MENENDEZ URRUTIA**

FOR PROPERTY KNOWN AS
LOT A, SUBDIVISION OF LANDS OF GEW LLC, PLOT BOOK 111, PAGE 297
CEDAR CREEK HUNDRED SUSSEX COUNTY, STATE OF DELAWARE
AREA: 2.968 ACRES +/- SCALE: 1" = 60'
DATE: SEPTEMBER 29, 2019

CLASS "B", SUBURBAN SURVEY
LEGEND:
● FOUND IRON BAR

Prepared By
DOUGLAS J. ANNAND
PROFESSIONAL LAND SURVEYOR
10027 NORTH OLD STATE ROAD
LINCOLN, DELAWARE 19960
PHONE: (302) 448-0320
douglasannand7@gmail.com

[Signature]
DOUGLAS J. ANNAND, PLS 622

BEARING REFERENCE
PLOT BOOK 111, PAGE 297
LOT B

3466' +/-
TO R.O.W. OF U.S. ROUTE 113