

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: July 22nd, 2021

Application: CU 2256 John Micklejohn LLC

Applicant: Jerry Micklejohn LLC
30622 Sandy Landing Road
Dagsboro, DE 19939

Owner: Jerry Micklejohn
30622 Sandy Landing Road
Dagsboro, DE 19939

Site Location: Lying on south side of Frankford School Rd. (S.C.R 92) approximately
0.37 mile east of McCary Road (S.C.R. 385)

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

Proposed Use: Hardscaping, Outdoor Living Construction and a Commercial Business

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Rieley

School District: Indian River School District

Fire District: Roxana Fire Department

Sewer: Septic

Water: Well

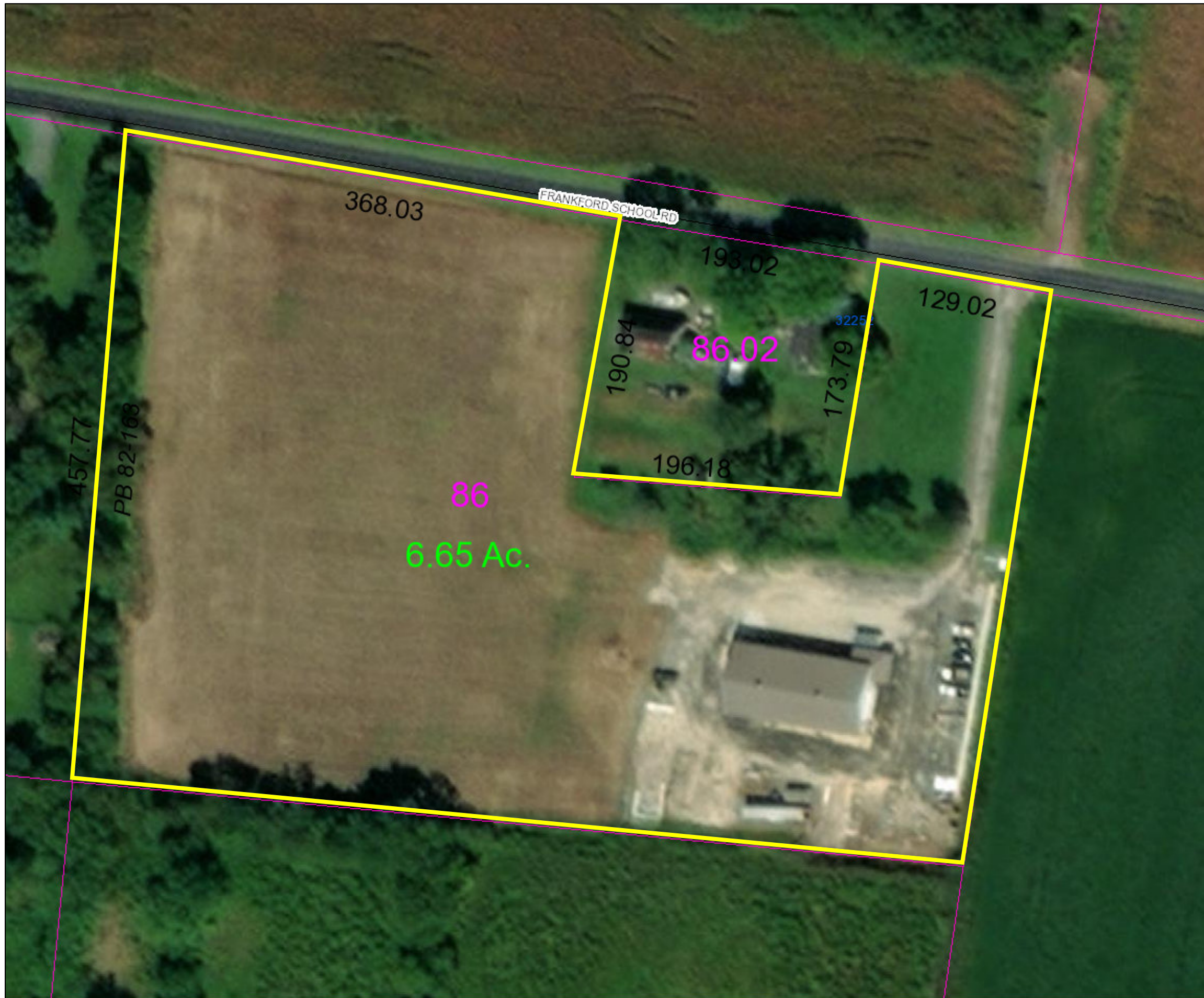
Site Area: 6.65 acres +/-

Tax Map ID.: 533-5.00-86.00



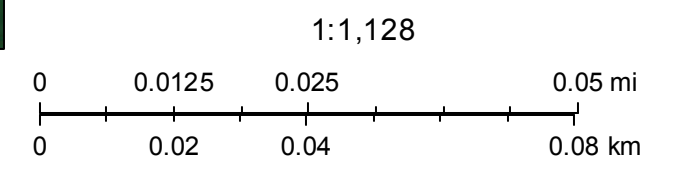


Sussex County



PIN:	533-5.00-86.00
Owner Name	MEIKLEJOHN JERRY TTEE REV TR
Book	5446
Mailing Address	30622 SANDY LANDING RD
City	DAGSBORO
State	DE
Description	S/RT 92
Description 2	N/A
Description 3	N/A
Land Code	

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





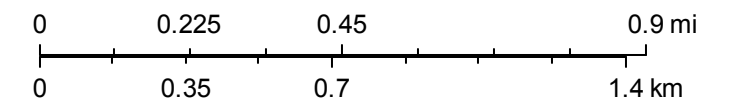
Sussex County



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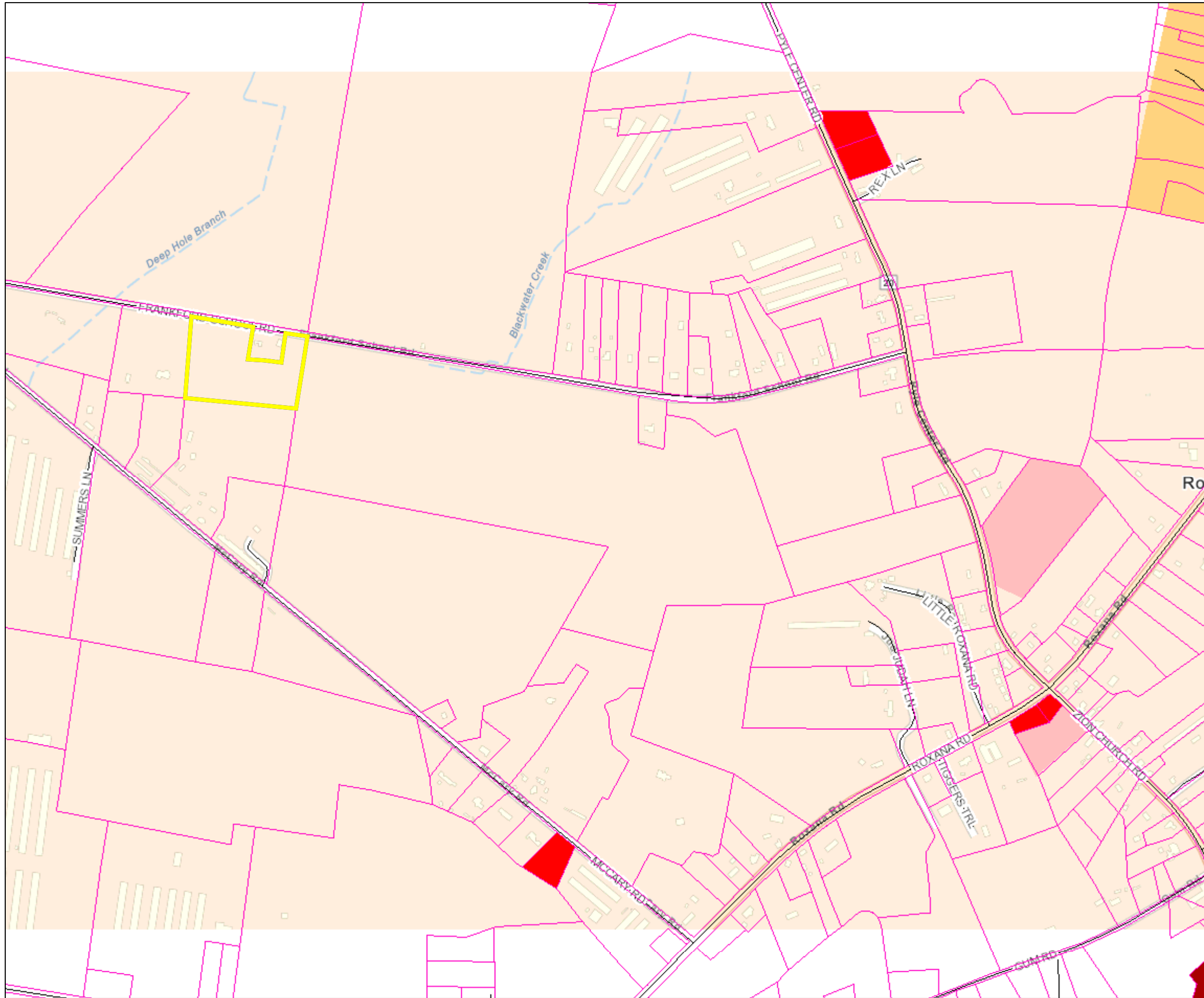
- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets

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Sussex County



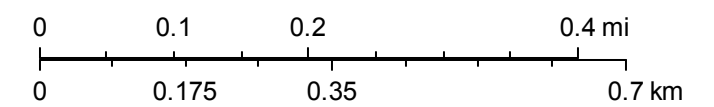
PIN:	533-5.00-86.00
Owner Name	MEIKLEJOHN JERRY TTEE REV TR
Book	5446
Mailing Address	30622 SANDY LANDING RD
City	DAGSBORO
State	DE
Description	S/RT 92
Description 2	N/A
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

 - Override 1
- Tax Parcels
- Streets

1:9,028



JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING
(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: Nicholas Torrance, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: July 15th, 2021
RE: Staff Analysis for CU 2256 Jerry Meiklejohn LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2256 Jerry Meiklejohn LLC to be reviewed during the July 22nd, 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 533-5.00-86.00 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District for hardscaping, outdoor living construction and a commercial business. The parcel is located on the south side of Frankford School Rd. (S.C.R 92) approximately 0.37 mile east of McCary Road (S.C.R. 385). The area of the site is approximately 6.65 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 "Coastal Area." All neighboring properties in Sussex County's jurisdiction are also designated as "Coastal Area."

The Coastal Area land use designation recognizes that a range of housing types should be permitted in Coastal Area, including single-family homes, townhouses, and multifamily 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. It also recognizes a careful mixture of homes with light commercial, office and institutional uses can be appropriate to provide convenient services and to allow people to work close to home.

The property is within an Agricultural Residential (AR-1) Zoning District. All surrounding parcels are also zoned Agricultural Residential (AR-1).

Since 1971, there have been 12 Conditional Use applications within a one-mile radius of the application site. Of the 12 Conditional Use applications within a one-mile radius, 9 have been approved, 2 have been withdrawn and 1 is currently pending.

Since 1971, there have been no other applications located on this tax parcel.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for hardscaping, outdoor living construction and a commercial business, subject to considerations

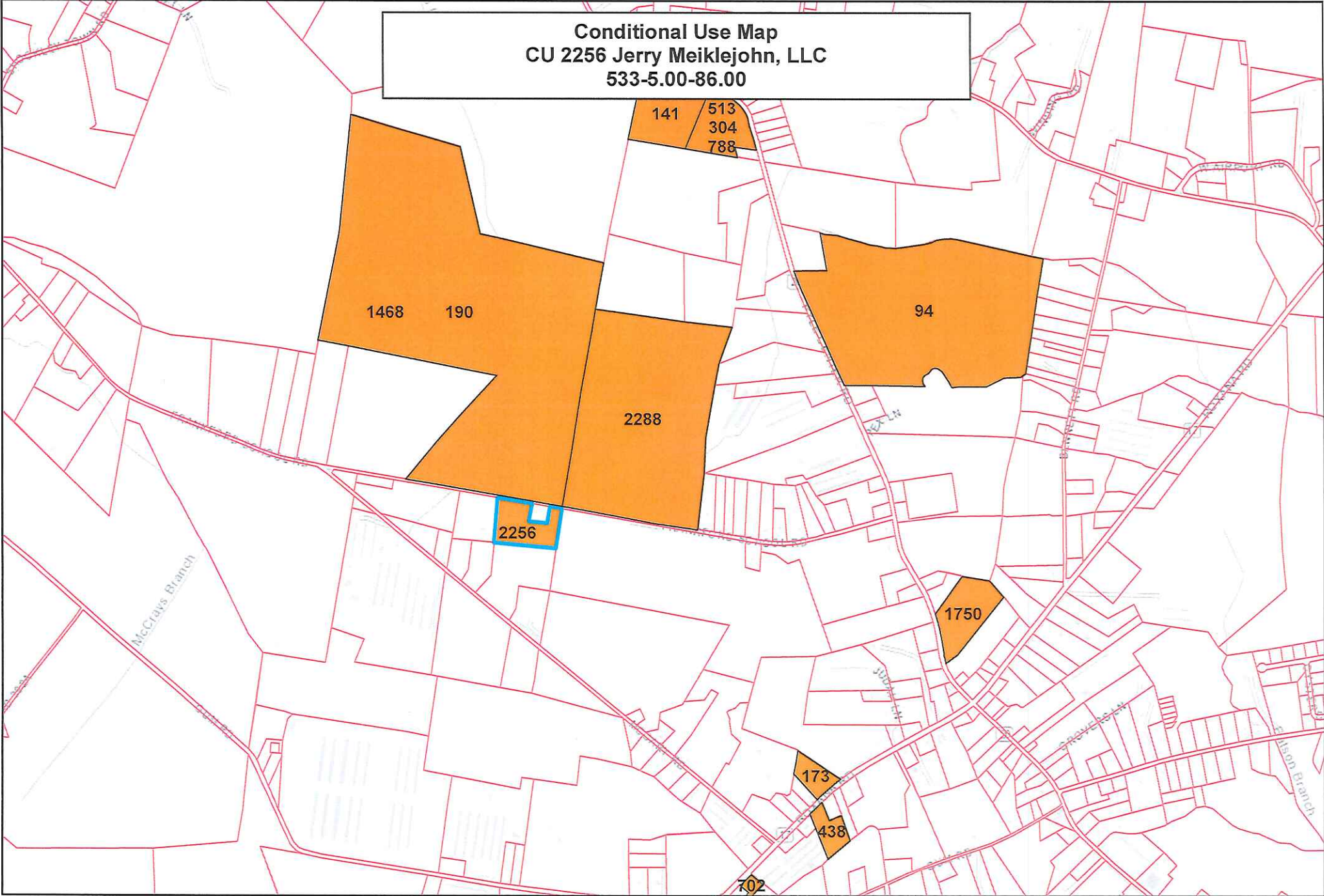


of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



Sussex County

Conditional Use Map
CU 2256 Jerry Meiklejohn, LLC
533-5.00-86.00



CU #	Tax Parcel	APPLICANT	Zoning	Proposed Use	P&Z Recommendation	P&Z Recommendation Date	CC Decision	CC Decision Date
94	533-5.00-67.00	C S Holder	AR-1	manufactured home park	N/A	<Null>	Approved	<Null>
141	533-5.00-62.00	Edward W Pyle Estate	AR-1	medical service center	N/A	<Null>	Approved	<Null>
173	533-5.00-81.00	Janice L. Bunting	AR-1	beauty shop	N/A	<Null>	Approved	<Null>
190	533-5.00-46.00	Brasford Service Corp	AR-1	Borrow Pit	N/A	<Null>	Approved	3/12/1974
304	533-5.00-63.00	Blue Willow Gift Shop	AR-1	shop for sale of gifts, antiques, gard & patio furnishings, flower arrangements & the like	N/A	<Null>	Approved	12/9/1975
438	533-10.00-51.00	Jessie E Bivens	AR-1	poultry house on less than 5-acres	N/A	<Null>	Approved	<Null>
513	533-5.00-63.00	Elizabeth Rogers Atkinson	AR-1	Wedding Mall	N/A	<Null>	Approved	1/16/1979
702	533-10.00-49.01	Judy Rogers & Asher	AR-1	beauty shop	Withdrawn	<Null>	Withdrawn	<Null>
788	533-5.00-63.00	Elizabeth Rogers Atkinson	AR-1	amend CU 513	Withdrawn	<Null>	Withdrawn	<Null>
1468	533-5.00-46.00	Lane N. Brown	AR-1	playing area for paintball games	Recommended Approval	11/14/2002	Approved	12/10/2002
1750	533-6.00-25.01	John Gilman	AR-1	Athletic Fields	Recommended Approval	10/23/2008	Approved	10/28/2008
2256	533-5.00-86.00	Jerry Meiklejohn LLC	AR-1	Hardscaping, Outdoor Living Construction, and Commerical Business	<Null>	<Null>	<Null>	<Null>
2288	533-5.00-47.00	Broom Solar Partners	AR-1	Solar Farm	<Null>	<Null>	<Null>	<Null>

File #: CU 2256
202015924

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

533 - 5.00 - 86.00

Type of Conditional Use Requested: For hardscaping, outdoor living construction and commercial business. § 115-22

Tax Map #: 533-5.00-86.00 **Size of Parcel(s):** 6.65 acres (+/-)

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

Land Use Classification: _____

Water Provider: _____ **Sewer Provider:** _____

Applicant Information

Applicant Name: Jerry Meiklejohn LLC
Applicant Address: 30622 Sandy Landing LLC
City: Dagsboro **State:** DE **Zip Code:** 19939
Phone #: 302-745-2632 **E-mail:** jerry.meiklejohn@gmail.com

Owner Information

Owner Name: Jerry Meiklejohn
Owner Address: 30622 Sandy Landing Road
City: Dagsboro **State:** DE **Zip Code:** 19939
Phone #: 302-745-2632 **E-mail:** jerry.meiklejohn@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Mackenzie M. Peet, Esq.
Agent/Attorney/Engineer Address: 323 E Rehoboth Avenue
City: Rehoboth Beach **State:** DE **Zip Code:** 19971
Phone #: 302-227-1314 **E-mail:** mackenzie@tunnellrayson.com



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.
- De/ DOT Service Level Evaluation Request Response
- N/A 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

Mackayon Pict

Date: 12/15/2020

Signature of Owner

[Signature]

Date: 12/16/20

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: _____



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

X **Completed Application**

X **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

X **Provide Fee \$500.00**

X **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.

X **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.**

X **DeIDOT Service Level Evaluation Request Response**

N/A **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

Mackayon fact

Date: 12/15/2020

Signature of Owner

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: South side of Franklin School Road (Sussex Road 92),
approx. 1,900 feet southeast of intersection of Frankford
Parcel #: 533-5.00-86.00 School Road and McCary Road
(Sussex Road 385).

Site Address: _____
Parcel #: _____

Applicant Name: Jerry Meiklejohn LLC
Owner Name: Jerry Meiklejohn

Type of Application:
Conditional Use:
Change of Zone:
Subdivision:
Board of Adjustment:

Date Submitted: 12/16/2020

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: Jerry Meiklejohn LLC
 Applicant Address: 30622 Sandy Landing Road
 City: Dagsboro State: DE Zip: 19939
 Phone #: 302-745-2632 E-mail: jerry.meiklejohn@gmail.com

Owner Information

Owner Name: Jerry Meiklejohn
 Owner Address: 30622 Sandy Landing Road
 City: Dagsboro State: DE Zip: 19939
 Phone #: 302-745-2632 E-mail: jerry.meiklejohn@gmail.com

Engineer/Surveyor Information

Engineer/Surveyor Name: Bradley Absher, True North Land Surveying
 Engineer/Surveyor Address: 118 Atlantic Avenue
 City: Ocean View State: DE Zip: 19970
 Phone #: 302-539-2488 E-mail: _____

Agent/Attorney Information

Agent/Attorney Name: Mackenzie M. Peet, Esq.
 Agent/Attorney Address: 323 E Rehoboth Avenue
 City: Rehoboth Beach State: DE Zip: 19971
 Phone #: 302-227-1314 E-mail: mackenzie@tunnellrayson.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

December 8, 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 **Jerry Meiklejohn** conditional use application, which we received on November 6, 2020. This application is for an approximately 6.65-acre parcel (Tax Parcel: 533-5.00-86.00). The subject land is located on the south side of Frankford School Road (Sussex Road 92), approximately 1,900 feet southeast of the intersection of Frankford School Road and McCary Road (Sussex Road 385). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval for a hardscaping / outdoor living construction / commercial business.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Frankford School Road where the subject land is located, which is from Pyle Center Road (Sussex Road 382) to Shockley Town Road (Sussex Road 375), is 414 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
December 8, 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: Jerry Meiklejohn, 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
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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **7/9/2021**

APPLICATION: **CU 2256 John Mieklejohn, LLC**

APPLICANT: **Jerry Mieklejohn LLC**

FILE NO: **ROX-1.01**

TAX MAP &
PARCEL(S): **533-5.00-86.00**

LOCATION: **South side of Frankford School Road (SCR 92), approximately
0.37 mile east of McCary Road (SCR 385)**

NO. OF UNITS: **Hardscaping, Outdoor Living Construction & Commercial
Business.**

GROSS
ACREAGE: **6.65**

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? **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 **Choose an item.** 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 within 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**
- (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

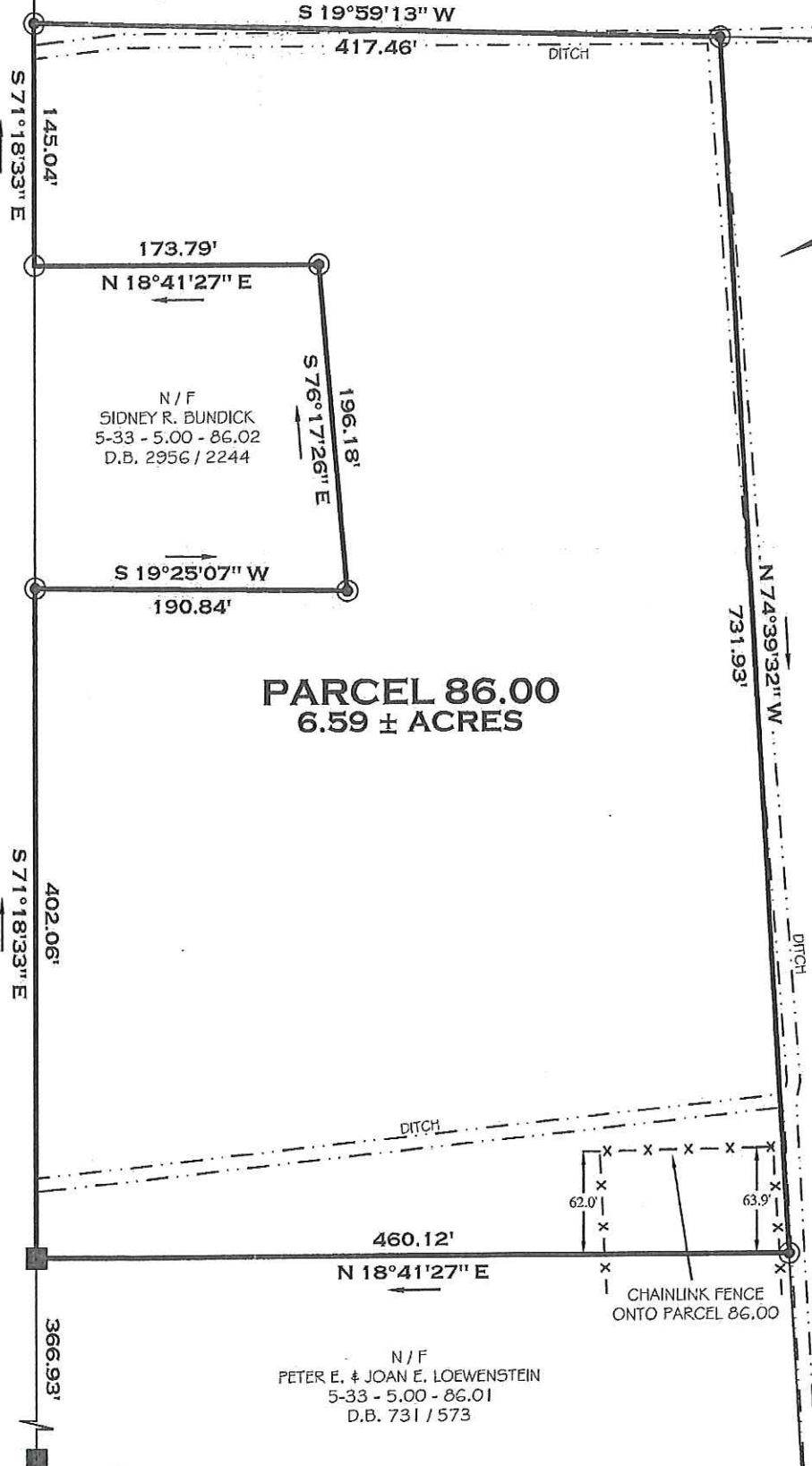
N / F
 PARKER FAMILY LIMITED PARTNERSHIP
 5-33 - 5.00 - 85.00
 D.B. 3196 / 283

N / F
 SIDNEY R. BUNDICK
 5-33 - 5.00 - 86.02
 D.B. 2956 / 2244

N / F
 PETER R. BLUMENSCHNEIN
 5-33 - 5.00 - 41.00
 D.B. 3977 / 166

PARCEL 86.00
 6.59 ± ACRES

FRANKFORD SCHOOL ROAD
 60' RIGHT OF WAY



N / F
 PETER E. & JOAN E. LOEWENSTEIN
 5-33 - 5.00 - 86.01
 D.B. 731 / 573

I, BRADLEY A. ABSHER, 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, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

Bradley A. Absher
 BRADLEY A. ABSHER, DE PLS # 735
 DATE 8-17-14

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: AR-1
3. BUILDING SETBACK LINES (BSL)

FRONT	40'
SIDE	15'
REAR	20'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL

LEGEND

EXHIBIT A

Property Information and Deed

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.

PARID: 533-5.00-86.00
 MEIKLEJOHN JERRY

Property Information

Property Location:

Unit:
 City:
 State:
 Zip:

Class: AGR-Agriculture
 Use Code (LUC): AG0-AG A-I
 Town: 00-None
 Tax District: 533 - BALTIMORE
 School District: 1 - INDIAN RIVER
 Council District: 5-Rieley
 Fire District: 90-Roxana
 Deeded Acres: 6.6500
 Frontage: 0
 Depth: .000
 Irr Lot:
 Zoning 1: AR-1-AGRICULTURAL/RESIDEINTIAL
 Zoning 2: -
 Plot Book Page: /PB
 100% Land Value: \$1,400
 100% Improvement Value
 100% Total Value

Legal

Legal Description S/R T 92

Owners

Owner	Co-owner	Address	City	State	Zip
MEIKLEJOHN JERRY	DAVIDSON TTEE REV TR	30622 SANDY LANDING RD	DAGSBORO	DE	19939

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
09/17/2018	4949/207	\$47,000.00			MEIKLEJOHN JERRY
03/06/2018	4850/115				DAVIDSON GORDON C TTEE

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2020	MEIKLEJOHN JERRY	DAVIDSON TTEE REV TR	30622 SANDY LANDING RD	DAGSBORO	DE	19939	4949/207
2019	MEIKLEJOHN JERRY	DAVIDSON TTEE REV TR	30622 SANDY LANDING RD	DAGSBORO	DE	19939	4949/207
2018	MEIKLEJOHN JERRY	DAVIDSON TTEE REV TR	30622 SANDY LANDING RD	DAGSBORO	DE	19939	4949/207
2017	DAVIDSON GORDON C TTEE	KAREN JOANNE HATTON DAVIDSON TTEE REV TR	31561 BRASURE RD	DAGSBORO	DE	19939	4850/115
2013	DAVIDSON GORDON C TRUSTEE OF		JANET B DAVIDSON TRUST 31561 BRASURE RD	DAGSBORO	DE	19939	3987/79
2012	DAVIDSON GORDON C TRUSTEE OF		JANET B DAVIDSON TRUST 32922 MAIN ST	DAGSBORO	DE	19939	3987/79
2008	DAVIDSON JANET B NEIL CLIFTON		BRASURE LOIS B WINGATE 32922 MAIN ST	DAGSBORO	DE	19939	3531/257
2006	DAVIDSON JANET B NEIL CLIFTON		BRASURE 102 MAIN ST	DAGSBORO	DE	19939	2174/142
2002	DAVIDSON JANET B NEIL CLIFTON		BRASURE 102 MAIN ST	DAGSBORO	DE	19939	2174/142
1900	BRASURELOIS B WINGATE					0	1062/285

Land

Line	Class	Land Use Code	Act Front	Depth	Deeded Acres	Ag
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1 AGR AGO 0 0 6.6500 Y

Land Summary

Line 1
100% Land Value 1,400

Agricultural Land

Line: CAMA Line: Ag Use Use: Grade: Acreage Rate Value:
1 1 AG .0001 1400

Agriculture Totals

Agricultural Acres 6.6500

100% Values

100% Land Value \$1,400
100% Improv Value
100% Total Value

50% Values

50% Land Value \$700
50% Improv Value
50% Total Value

Permit Details

Permit Date: 12-FEB-2019
Permit #: 201901599
Amount: \$30,000
Note 1: 50 X 100 POLE BARN FOR FARM USE ONLY

Document# 201800033613 BK: 4949 PG: 207
Recorder of Deeds, Scott Dailey On 9/17/2018 at 9:13:26 AM Sussex County, DE
Consideration: \$47,000.00 County/Town: \$705.00 State: \$1,175.00 Total: \$1,880.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP # 5-33-5.00-86.00

PREPARED BY & RETURN TO:

D. Stephen Parsons, P.A.
118 Atlantic Ave. #401
PO Box 480
Ocean View, DE 19970
File No. 35282/SHS

THIS DEED, made this 10th day of September, 2018,

- BETWEEN -

NEIL BRASURE, of 31561 Brasure Road, Dagsboro, DE 19939 LOIS WINGATE, of 34059 Vines Creek Road, Dagsboro De 19939 and GORDON DAVIDSON, TRUSTEE and KAREN DAVIDSON TRUSTEE, OF THE REVOCABLE TRUST AGREEMENT OF GORDON C. DAVIDSON AND KAREN JOANNE HATTON DAVIDSON dated February 27th, 2018, of 446 Sycamore Drive, Fairborn, OH 45324, parties of the first part,

- AND -

JERRY MEIKLEJOHN, of 30622 Sandy Landing Rd, Dagsboro, DE 19939, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ONE DOLLAR and 00/100 (\$1.00) and other valuable consideration, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part:

ALL that certain piece, parcel or lot of land, lying and being situate in the Baltimore Hundred, Sussex County, State of Delaware, and being more particularly described as follows; to wit:

Document# 201800033613 BK: 4949 PG: 208

Recorder of Deeds, Scott Dailey On 9/17/2018 at 9:13:26 AM Sussex County, DE

Doc Surcharge Paid

BEGINNING at a point in the centerline of a ditch, located on the southerly right of way line of Frankford School Road, and being the northwesterly corner of said Lot and a common property corner with lands now or formerly of Peter E. & Joan E. Loewenstein; thence by and with the southerly right of way line of Frankford School Road, South 71° 18' 33" East, a distance of 357.58', to an iron rod with cap set; thence by and with lands now or formerly of Sidney R. Bundick the following three courses and distances, (1) South 19° 25' 07" West, a distance of 190.84', to an iron rod with cap set; (2) South 76° 17' 26" East, a distance of 196.18', to an iron rod with cap set; (3) North 18° 41' 27" East, a distance of 173.79', to an iron rod found; thence by and with the southerly right of way line of Frankford School Road, South 71° 18' 33" East, a distance of 145.04', to an iron rod with cap set; thence by and with lands now or formerly of Parker Family Limited Partnership, South 19° 59' 13" West, a distance of 417.46', to an iron rod with cap set; thence by and with lands now or formerly of Peter R. Blumenschein, North 74° 39' 32" West, a distance of 640.43', to a point in the centerline of a ditch; thence by and with the centerline of a ditch and the lands now or formerly of Peter E. & Joan E. Loewenstein, North 12° 48' 30" East, a distance of 457.18', to said point, and said point of beginning, containing 5.88 acres of land, more or less.

BEING the same lands conveyed to Gordon C. Davidson and Karen Joanne Hatton Davidson, Trustees under Revocable Trust Agreement of Gordon C. Davidson and Karen Joanne Hatton Davidson dated 2/27/2018 by Deed of Gordon C. Davidson, Trustee under Irrevocable Trust Agreement of Janet B. Davidson Dated 4/3/2012 and Gordon C. Davidson, dated February 27, 2018, recorded on March 6, 2018 in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Deed Book 4850, Page 115.

Document# 201800033613 BK: 4949 PG: 205
Recorder of Deeds, Scott Dailey On 9/17/2018 at 9:13:26 AM Sussex County, DE
Doc Surcharge Paid

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____ (SEAL)
Gordon Davidson
 Gordon Davidson

_____ (SEAL)
Karen Davidson
 Karen Davidson

STATE OF OH, COUNTY OF Greene : to-wit

BE IT REMEMBERED, that on this 10 day of September, 2018, personally came before me, the subscriber, Gordon Davidson and Karen Davidson, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

Given under my Hand and Seal of office the day and year aforesaid.



C. J. PENNINGTON
Notary Public, State of Ohio
My Commission Expires
April 29, 2020

C. J. Pennington

 Notary Public
 Printed Name: C. J. Pennington
 My Commission Expires: 4-29-2020

Document# 201800033613 BK: 4949 PG: 210

Recorder of Deeds, Scott Dailey On 9/17/2018 at 9:13:26 AM Sussex County, DE

Doc Surcharge Paid

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Neil Brasure (SEAL)
Neil Brasure

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 7th day of September, 2018, personally came before me, the subscriber, Neil Brasure, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

Given under my Hand and Seal of office the day and year aforesaid.



Shannon Harris Schaffer
Notary Public
Printed Name: Shannon Harris Schaffer
My Commission Expires: 2/28/20

Document# 201800033613 BK: 4949 PG: 211

Recorder of Deeds, Scott Dailey On 9/17/2018 at 9:13:26 AM Sussex County, DE

Doc Surcharge Paid

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Lois Wingate (SEAL)

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 10th day of September, 2018, personally came before me, the subscriber, Lois Wingate, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

Given under my Hand and Seal of office the day and year aforesaid.

[Signature]
Notary Public
Printed Name: Shannon Harris Schaffer
My Commission Expires: 2/28/20



35

EXHIBIT B

Service Level Evaluation

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.



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

December 8, 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 **Jerry Meiklejohn** conditional use application, which we received on November 6, 2020. This application is for an approximately 6.65-acre parcel (Tax Parcel: 533-5.00-86.00). The subject land is located on the south side of Frankford School Road (Sussex Road 92), approximately 1,900 feet southeast of the intersection of Frankford School Road and McCary Road (Sussex Road 385). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval for a hardscaping / outdoor living construction / commercial business.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Frankford School Road where the subject land is located, which is from Pyle Center Road (Sussex Road 382) to Shockley Town Road (Sussex Road 375), is 414 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
December 8, 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: Jerry Meiklejohn, 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
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
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: 11/5/20

Site Information:

Site Address/Location: 533-5.00-86.00

Tax Parcel Number: 533-5.00-86.00

Current Zoning: AR-1

Proposed Zoning: _____

Land Use Classification: _____

Proposed Use(s): Hardscaping/outdoor living construction - commercial business

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

Applicant Information:

Applicant's Name: Jerry Meiklejohn

Applicant's Address: 30622 Sandy Landing Road

City: Dagsboro State: DE Zip Code: 19939

Applicant's Phone Number: (302) 227-1314

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



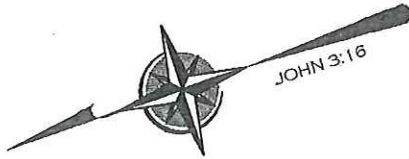
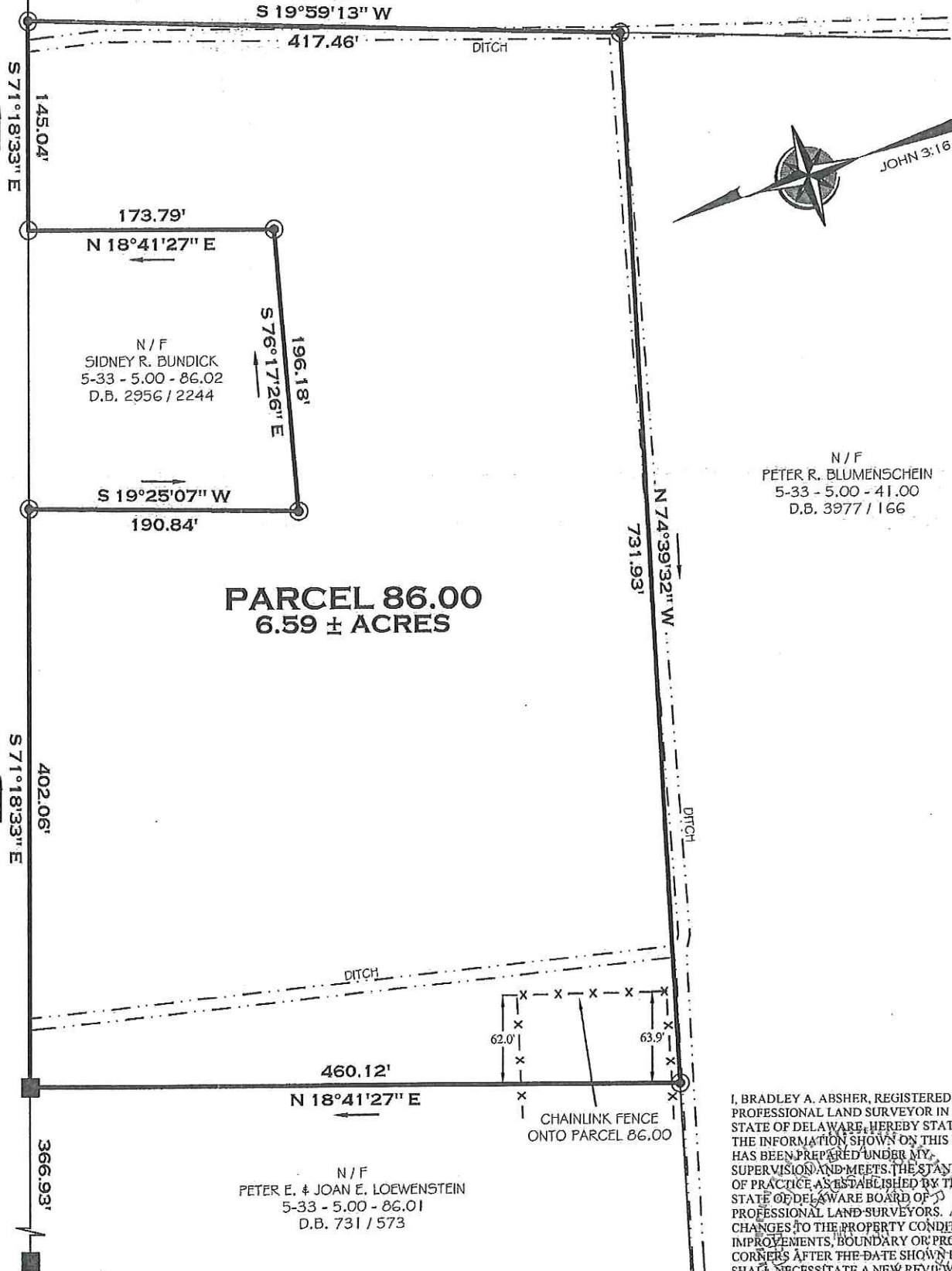
EXHIBIT C

Survey

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.

N / F
 PARKER FAMILY LIMITED PARTNERSHIP
 5-33 - 5.00 - 85.00
 D.B. 3196 / 283



N / F
 PÉTER R. BLUMENSCHNEIN
 5-33 - 5.00 - 41.00
 D.B. 3977 / 166

PARCEL 86.00
6.59 ± ACRES

FRANKFORD SCHOOL ROAD
 60' RIGHT OF WAY

I, BRADLEY A. ABSHER, 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, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

Bradley A. Absher
 BRADLEY A. ABSHER, DE PLS # 735
 DATE 8-17-14

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: AR-1
3. BUILDING SETBACK LINES (BSL)

FRONT	40'
SIDE	15'
REAR	20'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL

LEGEND

EXHIBIT D

Aerial Map

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.



Addresses / Parcels

▣ Tax Parcels

Council Districts

- ▣ Fire Districts
- ▣ County District 01
- ▣ County District 02
- ▣ County District 03
- ▣ County District 04
- ▣ County District 05
- ▣ County Boundaries

Schools/Libraries

- ▣ School Buildings (Various)
- ▣ School Library
- ▣ Public Library
- ▣ Special Library
- ▣ DOE School Districts
- ▣ DOE VoTech School Districts

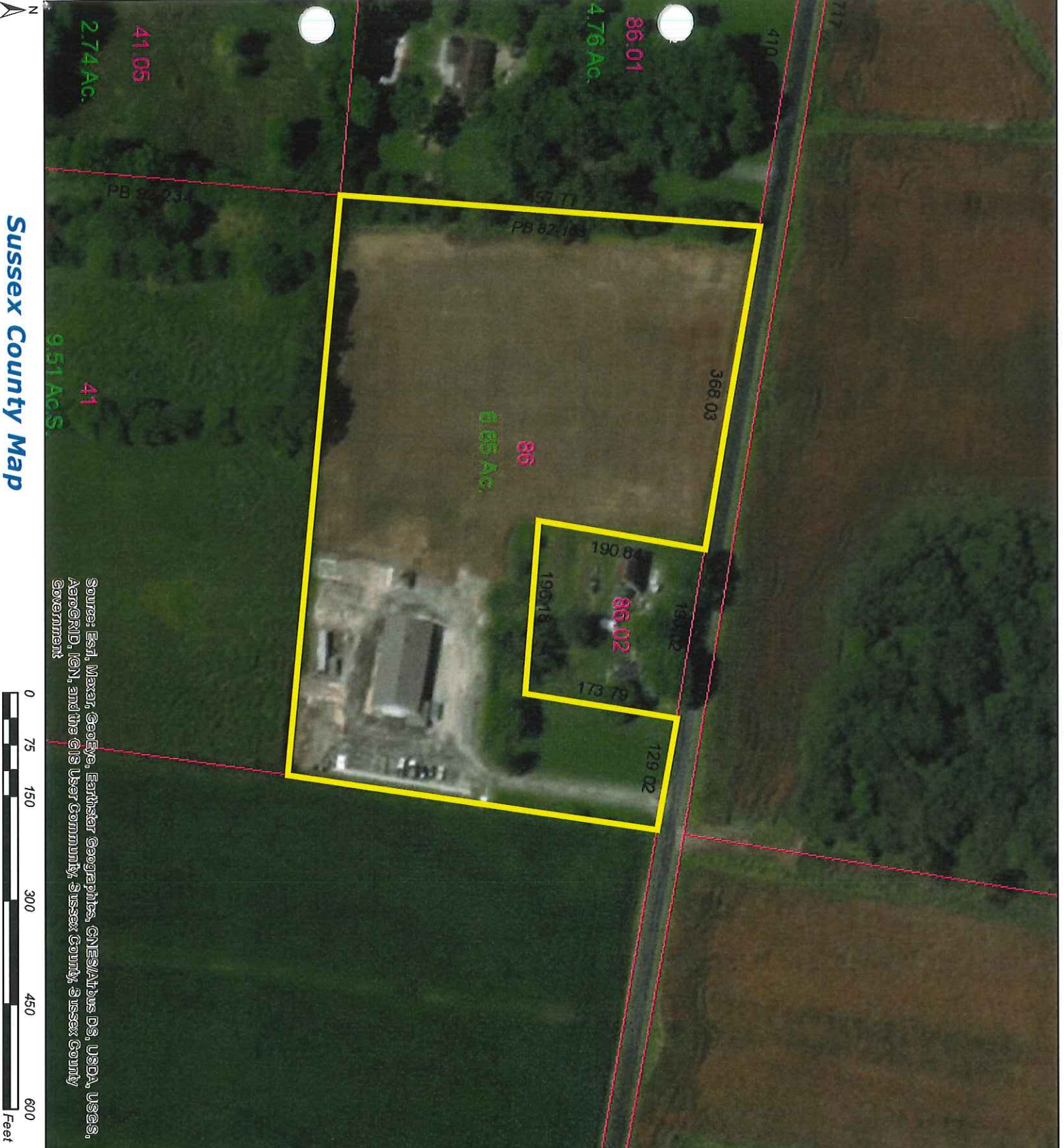
Hydrology

- ▣ Streams / Rivers
- ▣ Lakes, Ponds, Bays

Flood Zones

- ▣ 0.2% Annual Chance Flood Hazard
- ▣ A
- ▣ AE
- ▣ AO
- ▣ Open Water
- ▣ VE
- ▣ Public Protected Lands

- ▣ Municipalities
- ▣ Communities
- ▣ Boundaries State County



Sussex County Map

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