

JAMIE WHITEHOUSE, AICP  
DIRECTOR OF PLANNING & ZONING  
(302) 855-7878 T  
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jamie.whitehouse@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

## PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE

**PLANNING & ZONING COMMISSION**

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



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DIRECTOR OF PLANNING & ZONING

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date: October 28<sup>th</sup>, 2021

Application: CU 2272 Charles Stanley

Applicant: Charles Stanley  
24250 Old Meadow Road  
Seaford, DE 19973

Owner: Charles Stanley  
24250 Old Meadow Road  
Seaford, DE 19973

Site Location: 24250 Old Meadow Road, Seaford. The property is lying on the northwest side of Old Meadow Road (S.C.R. 530), approximately 0.89 mile southwest of Old Furnace Road (S.C.R. 460).

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

Proposed Use: Landscaping Business

Comprehensive Land Use Plan Reference: Low Density Area

Councilmanic District: Mr. Vincent

School District: Seaford School District

Fire District: Seaford Fire Department

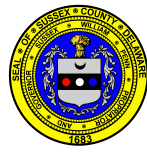
Sewer: Septic (Private, On-Site)

Water: Well (Private, On-Site)

Site Area: 0.68 acres +/-

Tax Map ID.: 231-12.00-40.01





# Sussex County



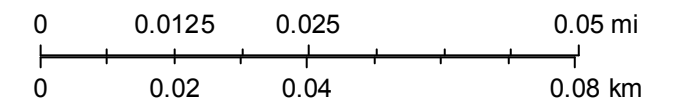
<b>PIN:</b>	231-12.00-40.01
<b>Owner Name</b>	STANLEY CHARLES
<b>Book</b>	4137
<b>Mailing Address</b>	24250 OLD MEADOW RD
<b>City</b>	SEAFORD
<b>State</b>	DE
<b>Description</b>	OLD MEADOW RD
<b>Description 2</b>	W/RT 530
<b>Description 3</b>	100'N/OAK LANE
<b>Land Code</b>	

- polygonLayer**

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- polygonLayer**

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- ⋯ Tax Parcels
- 911 Address
- Streets

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# Sussex County



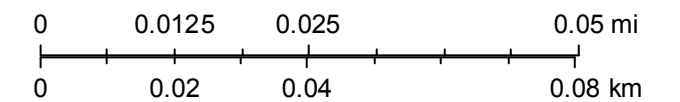
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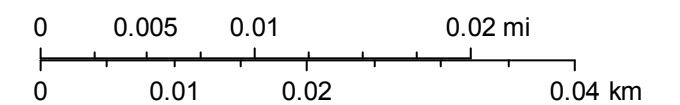




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- polygonLayer**
- Override 1
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1:564



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## Memorandum

To: Sussex County Planning Commission Members  
From: Lauren DeVore, Planner III  
CC: Vince Robertson, Assistant County Attorney and Applicant  
Date: October 4, 2021  
RE: Staff Analysis for CU 2272 Charles Stanley

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2272 Charles Stanley to be reviewed during the October 28, 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: 231-12.00-40.01 to allow for the establishment of a landscaping business to be located at 24250 Old Meadow Road in Seaford, Delaware. The property is lying on the northwest side of Old Meadow Road (S.C.R. 530), approximately 0.89 mile southwest of Old Furnace Road (S.C.R. 46). The parcel consists of 0.68 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 parcel has a designation of "Low Density Area." The surrounding and adjacent lands to the north, south, east and west also contain the "Low Density Area" Future Land Use Map designation, with the properties to the north on the opposite side of the Nanticoke River being designated as a "Developing Area."

As outlined within the 2018 Sussex County Comprehensive Plan, the primary uses envisioned in Low Density Areas are 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 Areas 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. Institutional and commercial uses may be appropriate depending on surrounding uses.

The subject property is zoned Agricultural Residential (AR-1). The adjacent properties to the north, south, east and west of the subject site are also zoned Agricultural Residential (AR-1).

Since 1970, there has been one (1) Conditional Use application within a 2-mile radius of the application site. This application was for Conditional Use No. 27 Ted and Sally Anne Mariner to allow for a beauty salon to be located within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on November 16<sup>th</sup>, 1971.



Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow for the establishment of a landscaping business, 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

2425 Old Meadow Rd Seaford DE 19973

Type of Conditional Use Requested:

Landscaping business

Tax Map #: 231-12.00-40-01

Size of Parcel(s): 0.68 acre

Current Zoning: AR-1

Proposed Zoning: N/A

Size of Building: N/A

Land Use Classification: Residential

Water Provider: well

Sewer Provider: on-site septic

### Applicant Information

Applicant Name: Charlize Stanley

Applicant Address: 2425 Old Meadow Rd

City: Seaford

State: DE

Zip Code: 19973

Phone #: 302-396-5381

E-mail: \_\_\_\_\_

### Owner Information

Owner Name: Charlize Stanley

Owner Address: 2425 Old Meadow Rd

City: Seaford

State: DE

Zip Code: 19973

Phone #: 302-396-5381

E-mail: \_\_\_\_\_

### 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

- o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- o Provide a PDF of Plans (may be e-mailed to a staff member)
- o 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

PLA 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: \_\_\_\_\_

### 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: 24250 old meadow rd Seaford De  
19973

Parcel #: 231-12-00-40-01

Site Address: \_\_\_\_\_  
\_\_\_\_\_

Parcel #: \_\_\_\_\_

Applicant Name: Charles Hanley

Owner Name: SAME

## Type of Application:

Conditional Use:  \_\_\_\_\_

Change of Zone: \_\_\_\_\_

Subdivision: \_\_\_\_\_

Board of Adjustment: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

## 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: \_\_\_\_\_  
Applicant Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

## Owner Information

Owner Name: \_\_\_\_\_  
Owner Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

## Engineer/Surveyor Information

Engineer/Surveyor Name: \_\_\_\_\_  
Engineer/Surveyor Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_ 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: \_\_\_\_\_







STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. BOX 77B  
DOVER, DELAWARE 19903

December 21, 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 **Charles Stanley, Jr.** conditional use application, which we received on November 19, 2020. This application is for an approximately 0.66-acre parcel (Tax Parcel: 231-12.00-40.01). The subject land is located on the northwest side of Old Meadow Road (Sussex Road 530), approximately 4,550 feet south of Old Furnace Road (Sussex Road 46). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval for a landscaping business.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Old Meadow Road where the subject land is located is 2,629 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.

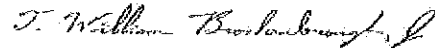
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse  
Page 2 of 2  
December 21, 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: Charles Stanley, Jr., 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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **10/7/2021**

APPLICATION: **CU 2272 Charles Stanley**

APPLICANT: **Charles Stanley**

FILE NO: **WSPA-5.02**

TAX MAP &  
PARCEL(S): **231-12.00-40.01**

LOCATION: **24250 Old Meadow Road, Seaford**

NO. OF UNITS: **Landscaping Business**

GROSS  
ACREAGE: **0.68**

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 **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: **Click or tap here to enter text.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:

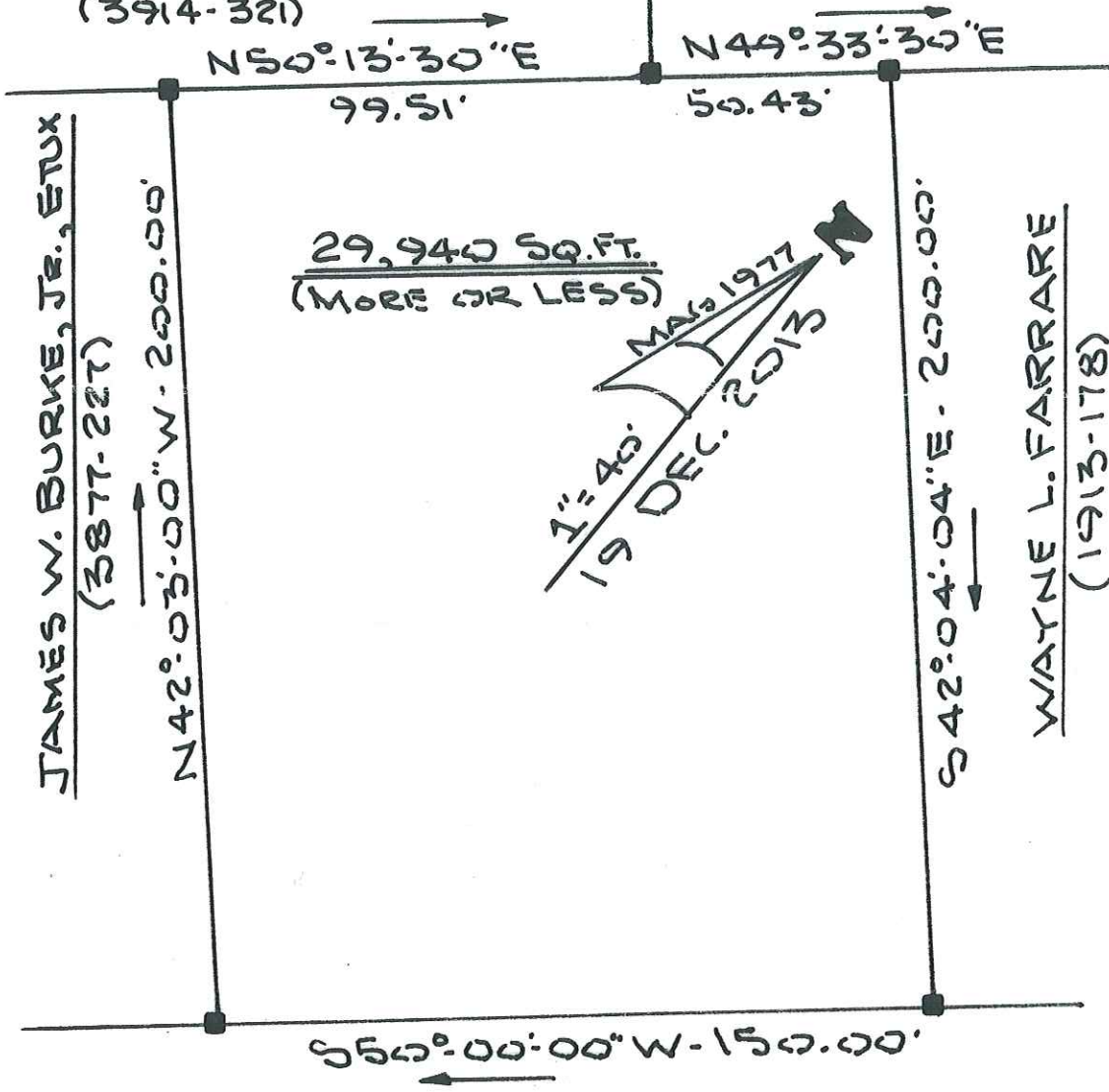


John J. Ashman  
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.  
Lisa Walls  
No Permit Tech Assigned

KATHRYN M. WARD  
FOR LIFE  
(3914-321)

EDWARD W. BARTO  
MARY MARGARET PARKS  
(2-31-12-50)



OLD MEADOW ROAD  
(SCR 530 - 50' R/W)

■ DENOTES CONK. MON. (FD)

PLAT OF LANDS OF CHARLES STANLEY  
AND SHERONDA STEVENSON (REF: DEED  
BOOK 4137-87). SITUATED IN NANTICUCKE  
HUNDRED, SUSSEX COUNTY AND STATE  
OF DELAWARE.

"SUBURBAN" SURVEY  
TM No. 2-31-12-40.01

SURVEY BY:  
*Thomas A. Temple, Jr*  
THOMAS A. TEMPLE, JR  
DEL.P.L.S.No. 242

October 11, 2021

LETTER OF OPPOSITION to: Planning and Zoning Director: Jamie Whitehouse- Sussex County Planning and Zoning Commission

Planning and Zoning Department, County Administrative Office Building 2

The Circle, Georgetown, DE. 19947

Mr. Whitehouse:

We, James W. Burke and Laura Burke, are both Seaford, Delaware residents living at 24379 Oak Lane, Seaford, DE. 19973. As part of Nanticoke Hundred, we are writing to express our opposition to the proposed landscaping business ordinance grant of property at 24250 Old Meadow Road, Seaford, DE. 19973. The landscaping business plan for this site is not consistent with the intent of a residential district. Our opposition is also based on these potential/probable negative effects: • The loss of neighborhood and community character • A decrease in the market value of our family home • Increased traffic congestion adding to an already dangerous situation of excessive speeders and large vehicles • The destruction of green space and mature trees as well as driving animals out of the area onto Old Meadow Road causing accidents • This type of business does not fit into the single family neighborhood • Once the ordinance is granted, the owner can change the original concept within the approved business ordinance.

We as homeowners purchased our residential property more than twenty years ago with the intent of financial investment and lifetime security. A new next-door neighbor within less than 200 feet of our residence who chooses to begin, and continually run a personal landscaping business consisting of multiple large trucks, trailers, trash, lawn and rubbish dumpsters, woodchipper equipment, and an outdoor portable toilet facility for employees is not a positive (financial or aesthetically) nor a pleasing, pleasant, family, or typical component. Please DO NOT grant this business ordinance. Once the property is a business, the owner can change the original concept within the approved business ordinance. Single family construction fits within this neighborhood and community.

Respectfully,

James W. & Laura Burke



Phone: (302) 841-3556

Email, Mail or Hand Deliver this signed letter to: Planning Director: Jamie Whitehouse, AICP MRTPI

Sussex County Planning and Zoning Commission

Planning and Zoning Department, County Administrative Office Building 2

The Circle, Georgetown, DE. 19947

(302) 855-7878

RECEIVED

OCT 14 2021

SUSSEX COUNTY  
PLANNING & ZONING