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Sussex County

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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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PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: November 4th, 2021

Application: CU 2273 Michael Parsons

Applicant: Michael Parsons
30274 Pecan Drive
Lewes, DE 19958

Owner: Michael Parsons
30274 Pecan Drive
Lewes, DE 19958

Site Location: 30274 Pecan Drive, Lewes

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

Proposed Use: Delivery of commercial parts for offsite sales

Comprehensive Land Use Plan Reference: Low Density

Councilmanic District: Mrs. Stevenson

School District: Cape Henlopen School District

Fire District: Lewes Fire Department

Sewer: Septic (Private, On-Site)

Water: Well (Private, On-Site)

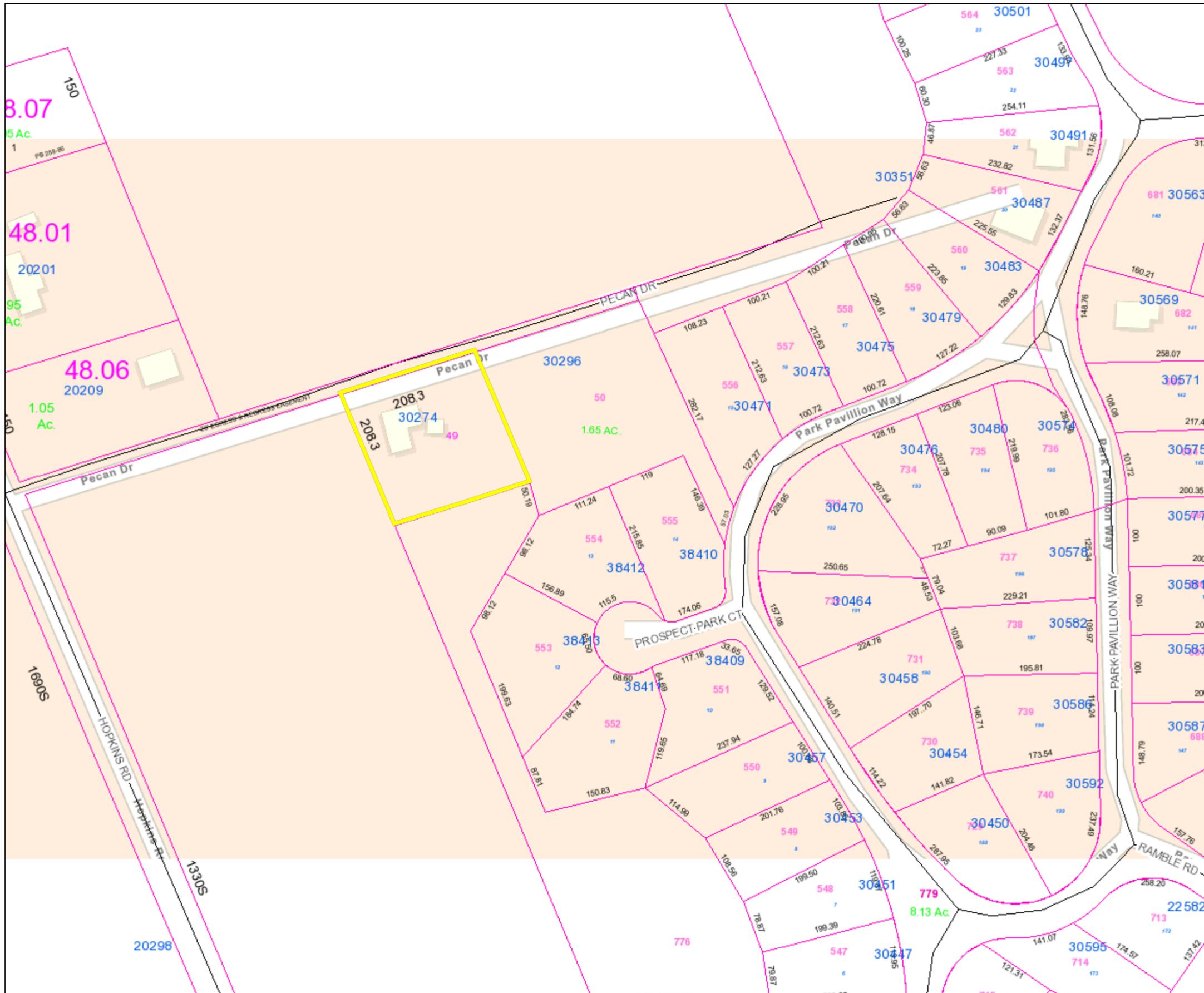
Site Area: 0.99 acres +/-

Tax Map ID.: 234-5.00-49.00





Sussex County



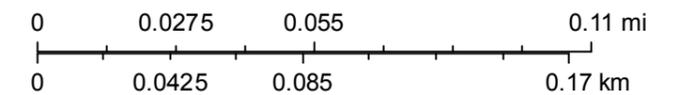
PIN:	234-5.00-49.00
Owner Name	PARSONS MICHAEL L
Book	4248
Mailing Address	30274 PECAN DRIVE
City	LEWES
State	DE
Description	S/PRIVATE RD
Description 2	494' NE/RD 286
Description 3	N/A
Land Code	

- polygonLayer**

Override 1
- polygonLayer**

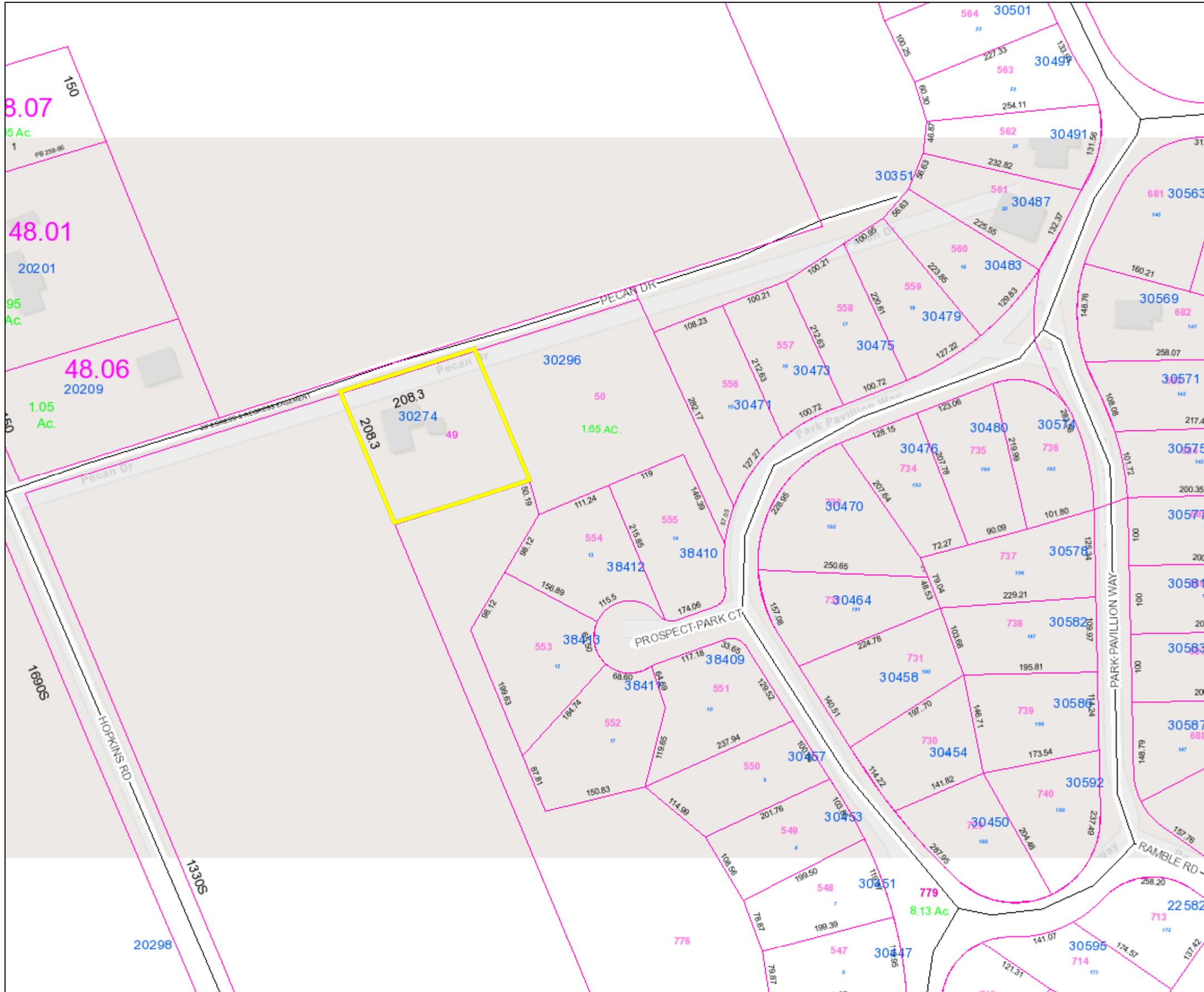
Override 1
- ⋯ Tax Parcels
- 911 Address
- Streets

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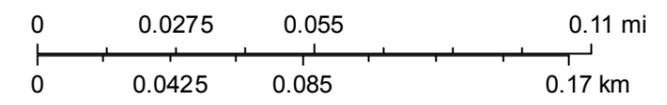
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Memorandum

To: Sussex County Planning Commission Members
From: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: October 28, 2021
RE: Staff Analysis for CU 2273 Michael Parsons

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2273 Michael Parsons to be reviewed during the November 4, 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: 234-5.00-49.00 to allow for deliveries of parts to be sold offsite. The parcel is lying on south side of Pecan Drive, approximately 475 feet east of Hopkins Road (S.C.R. 286). The parcel consists of 0.99 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". The surrounding and adjacent parcels to the north, south, east, and west also contain the "Low Density" Future Land Use Map designation.

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density areas are intended to support agricultural uses and low-density single-family housing. Specifically, the Comprehensive Plan states that single family homes have a density of up to two dwelling units to the acre. It is envisioned that the Low-Density Areas allow for businesses that support nearby residents and the agricultural economy. More intense commercial uses could be limited in scale and impact. While residential growth is expected, the Comprehensive Plan intends for the rural landscape to be maintained and for farmland to be preserved in select locations.

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

Since 2011, there have been eight (8) Conditional Use applications within a 1-mile radius of the application site. Please refer to the attached spreadsheet and map for a list of the Conditional Use applications.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow for deliveries of parts to be sold offsite, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



Name	Conditional Use No.	Tax Parcel #	APPLICANT	911 Address	Current Zoning	Proposed Use	P&Z Initial Hearing Date	P&Z Decision	P&Z Decision Date	CC Initial Hearing Date	CC Decision Date	CC Decision	Application Number	Application Rcvd Date	acreage	parcel id 2	parcel id 3
234-5.00-770.00	2082	234-5.00-770.00	Tidewater Utilities					Withdrawn				Withdrawn		12/6/2016		234-5.00-771.00	234-5.00-774.00
234-6.00-13.00	1932	234-6.00-13.00	Tanya Gibbs & Kimwuan Gibbs	Kendale Road (SCR. 287)	GR	Automotive Sales Lot	7/12/2012	Recommended Denial	8/23/2012	8/7/2012	1/15/2013	Denied		4/2/2012			
234-5.00-44.07	2006	234-5.00-44.07	Thomas/Laura Kucharik	19884 Beaver Dam Road, Lewes	AR-1	SEASONAL FARM STAND/GARDEN CENTER	1/22/2015	Recommended Approval	1/22/2015	2/17/2015	3/10/2015	Approved	201409171	10/16/2014	5.23		
234-5.00-44.06	2014	234-5.00-44.06	Jay Beach	Beaver Dam Road/Hopkins Road	AR-1	Landscaping and Site Work Business	4/9/2015	Recommended Approval	4/23/2015	5/19/2015	10/13/2015	Approved	201500651	1/28/2015	5.26		
334-10.00-53.00	2177	334-10.00-53.00	Ingrid Hopkins	30249 Fisher Rd.	AR-1	events venue	6/27/2019	Recommended Approval	7/18/2019	7/30/2019	7/30/2019	Approved	201902804	3/15/2019		334-10.00-55.00	334-10.00-56.00
234-5.00-46.04	2216	234-5.00-46.04	Kenneth Dominic Alton Drummond	20366 Hopkins Rd.	AR-1	Storage & residence for manager Quality Care Homes	7/23/2020	Recommended Approval	8/13/2020	8/25/2020	8/25/2020	Approved	201914497	12/18/2019	3.57		
334-10.00-69.01	2232	334-10.00-69.01	Covered Bridge Inn, LLC	Fisher Rd	AR-1	Wedding Event Space	8/13/2020	Recommended Approval	8/13/2020	9/22/2020	12/29/2020	Withdrawn	202005347	5/22/2020	98		
334-10.00-69.01	2280	334-10.00-69.01	Covered Bridge Inn, LLC	Fisher Rd	AR-1	Wedding Event Space (Resubmitted)	5/27/2021	Recommended Approval		7/13/2021	7/13/2021	Approved	202106150	4/22/2021	98		

File #: CU/2273
202102851

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

30274 Pecan Dr, Lewes, DE 19958

Type of Conditional Use Requested:

Delivery of commercial parts for offsite sale

Tax Map #: 234-5.00-49.00

Size of Parcel(s): acre 43,388 sq. ft.

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

Land Use Classification: _____

Water Provider: private Sewer Provider: private

Applicant Information

Applicant Name: Michael Parsons

Applicant Address: 30274 Pecan Dr

City: Lewes State: DE Zip Code: 19958

Phone #: 302-430-3905 E-mail: snipsta262@MSN.COM

Owner Information

Owner Name: Same

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ 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
- ___ 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

Michael Pearson

Date: 2-25-2021

Signature of Owner

Michael Pearson

Date: 2-25-2021

For office use only:

Date Submitted: 2/26/2021

Fee: \$500.00 Check #: _____

Staff accepting application: JP

Application & Case #: 20210289

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

NICOLE MAJESKI
SECRETARY

February 15, 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 **Michael Parsons** proposed land use application, which we received on February 8, 2021. This application is for an approximately 1.0-acre parcel (Tax Parcel: 234-5.00-49.00). The subject land is located on the south side of Pecan Drive, a privately-maintained subdivision street, east of its intersection with Hopkins Road. The subject land is currently zoned AR-1 (Agricultural Residential) and the applicant seeks a conditional use approval for delivering/receiving of commercial parts for off-site sale (no onsite sales). Deliveries would be on Thursdays.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Hopkins Road where the subject land is located, which is from Fisher Road to Beaver Dam Road, is 917 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 DeIDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DeIDOT'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. DeIDOT'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 DeIDOT 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
February 15, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Michael Parsons, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, 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
Annamaria Furmato, 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: **10/18/2021**

APPLICATION: **CU 2273 Michael Parsons**

APPLICANT: **Michael Parsons**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **234-5.00-49.00**

LOCATION: **30274 Pecan Drive, Lewes, DE**

NO. OF UNITS: **Delivery of commercial parts for offsite sales.**

GROSS
ACREAGE: **0.99**

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 \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

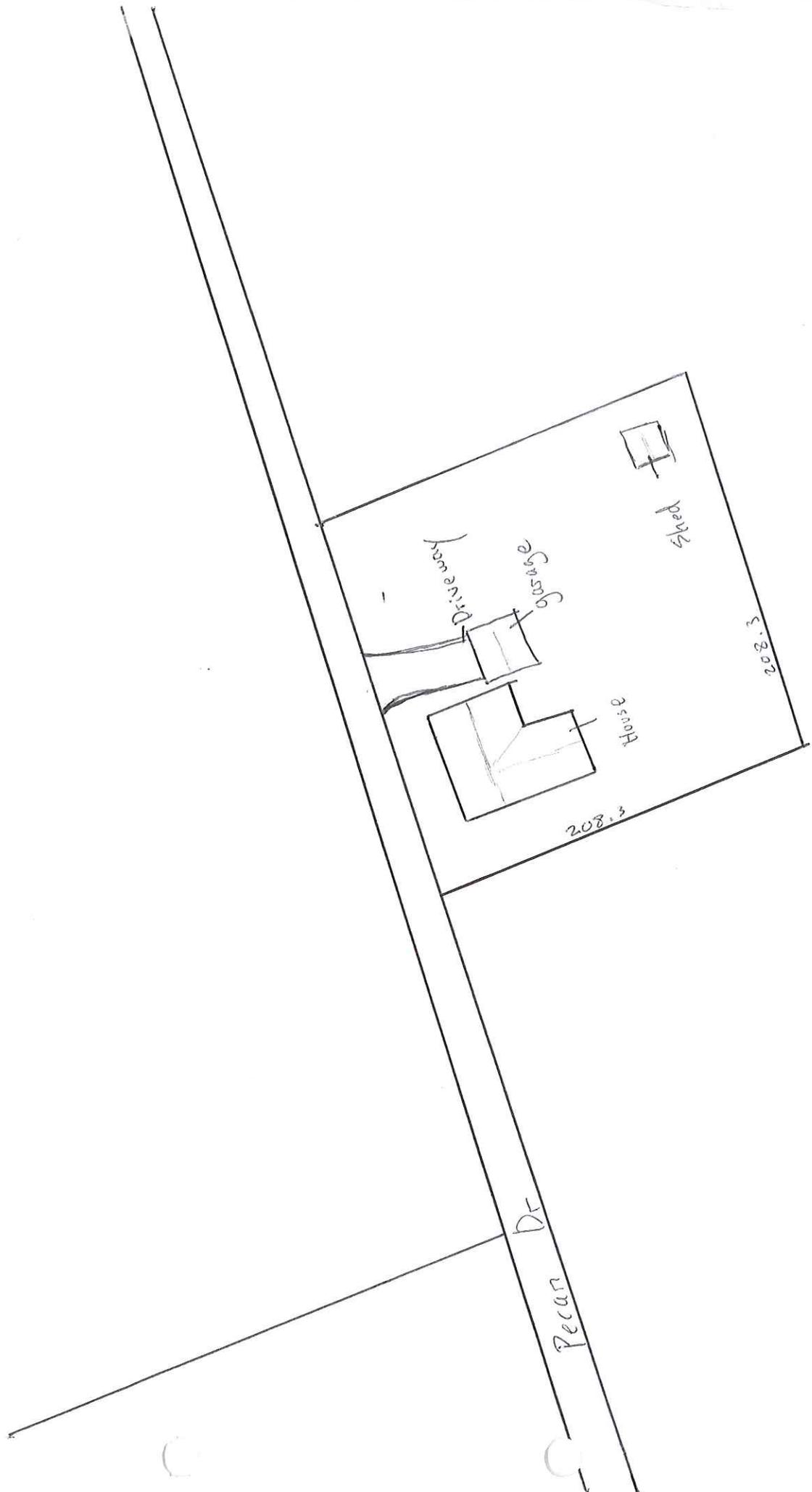
- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Conditional Use is not located in an area where the Sussex County Engineering Department has a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **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



208.3 FT



Sussex County

