

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
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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JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: February 10th, 2022

Application: CU 2305 Barnhill Preserve of Delaware, LLC

Applicant: Barnhill Preserve of Delaware, LLC
34215 Peppers Corner Road
Frankford, DE 19945

Owner: Joshua E. Mueller
34215 Peppers Corner Road
Frankford, DE 19945

Site Location: Lying on the north east side of Peppers Corner Road (S.C.R.365)
approximately 350-feet southeast of Beaver Dam Road (S.C.R. 368)

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

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

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Rieley

School District: Indian River School District

Fire District: Millville Fire Department

Sewer: On-site septic

Water: On-site well

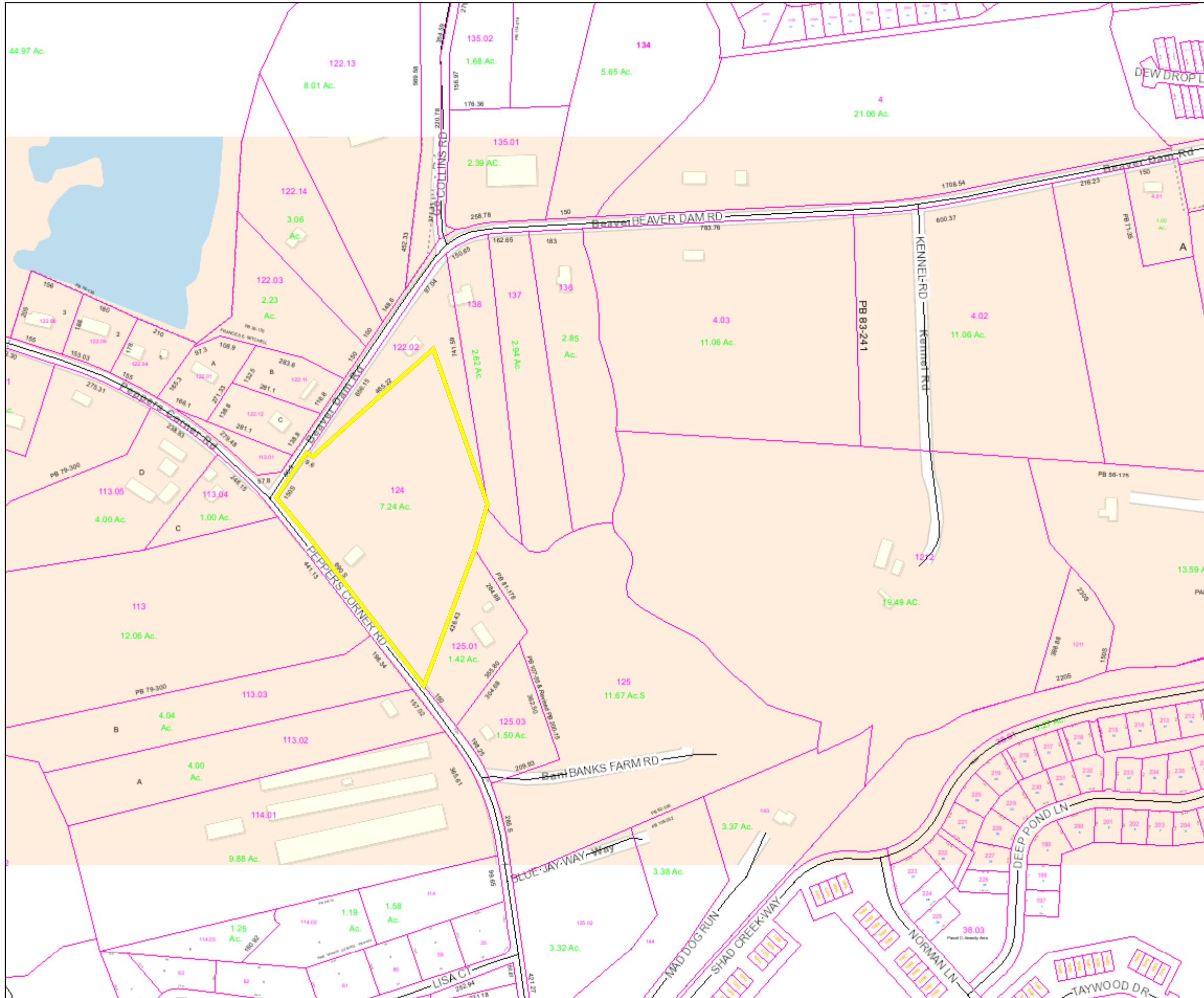
Site Area: 7.24 acres +/-

Tax Map ID.: 134-15.00-124.00





Sussex County



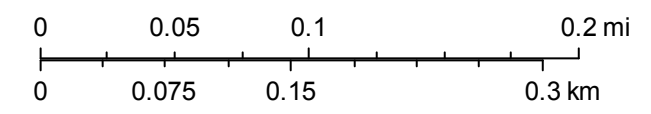
PIN:	134-15.00-124.00
Owner Name	MUELLER JOSHUA E
Book	5051
Mailing Address	32415 PEPPERS CORNER
City	FRANKFORD
State	DE
Description	N/CO RD BAYARD
Description 2	TO ABIES
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

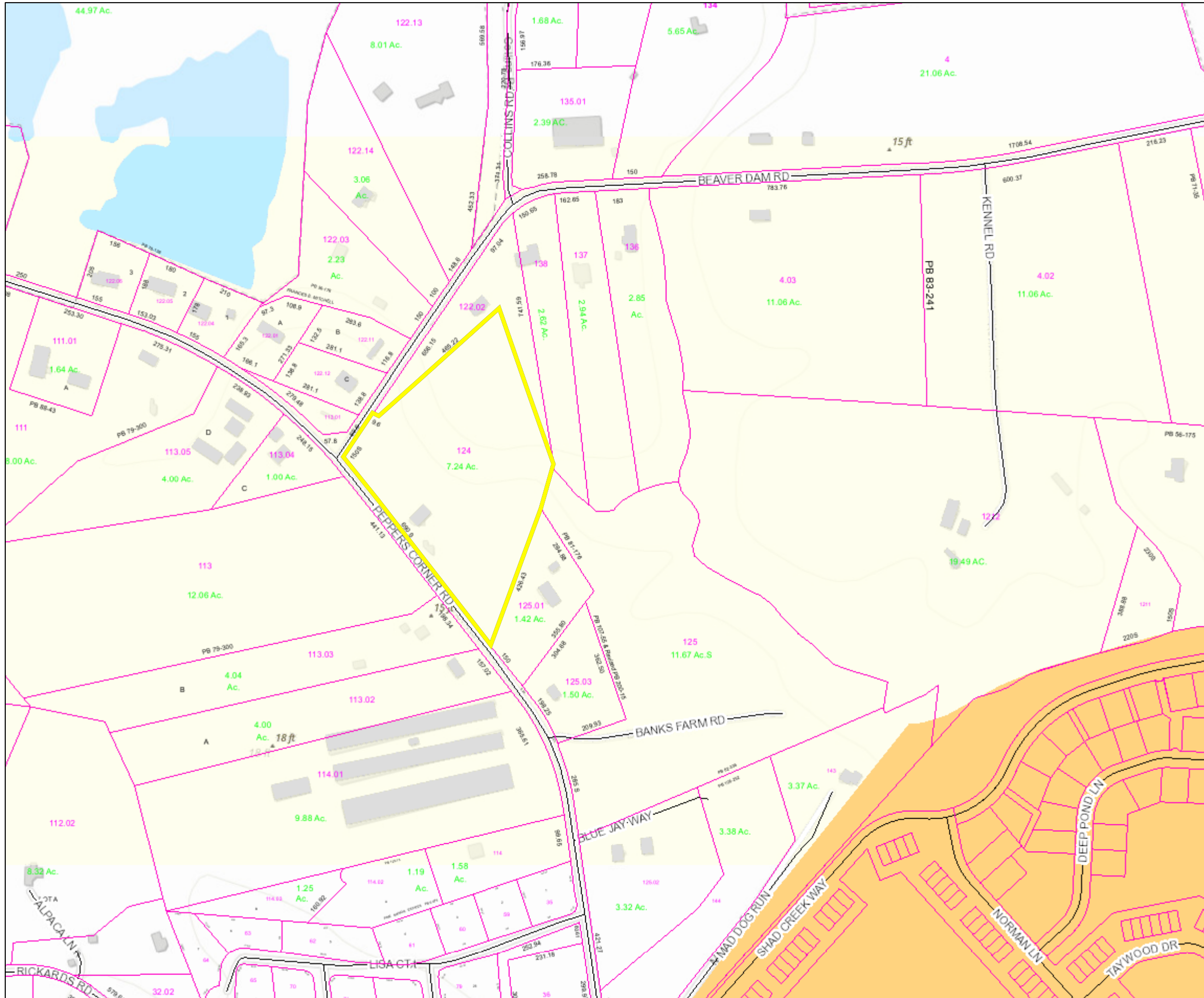
 - Override 1
 - Tax Parcels
 - Streets
 - County Boundaries

1:4,514





Sussex County



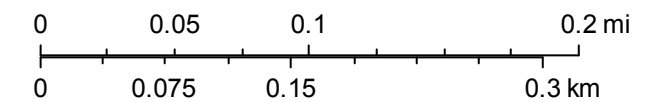
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 - Override 1
 - Tax Parcels
 - Streets

1:4,514



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Memorandum

To: Sussex County Planning Commission Members
From: Ms. Lauren DeVore, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: February 3, 2022
RE: Staff Analysis for CU 2305 Barnhill Preserve of Delaware, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2305 Barnhill Preserve of Delaware, LLC to be reviewed during the February 10, 2022 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: 134-15.00-124.00 to allow for a zoological park to be located at 34215 Peppers Corner Road in Frankford, Delaware. The property is lying on the south side of Beaver Dam Road (S.C.R. 368) and on the northeast side of Peppers Corner Road (S.C.R. 365), approximately 0.61 mile southeast of Roxana Road (Route 71). The parcel consists of 7.24 acres +/-.

It should be noted that there is a tax ditch (the Beaver Dam Canal Tax Ditch) which runs through the center of the abovementioned property, of which the related tax ditch ROW is measured 50-ft from the top of bank (TOB) of the tax ditch. The tax ditch ROW was reduced to 50-ft through Court Order Change #39. It should be noted that all existing and proposed structures in relation to this proposal shall be relocated out of any tax ditch ROW.

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 "Coastal Area." The parcels to the north, south, west (on the opposite side of Peppers Corner Road), and east of the subject property also have the Future Land Use designation of "Coastal Area." The property to the north of the parcels on the opposite side of Beaver Dam Road (S.C.R. 367) has a Future Land Use designation of "Municipalities" as these properties are located within the incorporated town limits of the Town of Millville.

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family 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. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and



to allow people to work close to home. Major new industrial uses are not proposed in these areas (Sussex County Comprehensive Plan, 4-15).

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

There is a single parcel to the south which encompasses the Milo's Haven (F.K.A. Lakelynn's) Residential Planned Community which is zoned General Residential – Residential Planned Community (GR-RPC).

Since 1970, there have been several Conditional Uses within the vicinity of the project site. There have been four (4) Conditional Use applications within less than a 0.25-mile radius of the application site. The first application was Conditional Use No. 1254 for Bethany Beach Kennels to allow for a pet crematory in the Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, December 8, 1998, and this change was adopted through Ordinance No. 1275. The second application was Conditional Use No. 825 Morris E. Justice to allow for operation of a borrow pit in the Agricultural Residential (AR-1) Zoning District. This application was denied by the Sussex County Council on Tuesday, July 23, 1985. The third application was Conditional Use No. 1896 Timothy S. Miller for purposes of allowing mulch, boat and RV storage in an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, August 2, 2011, and adopted through Ordinance No. 2206. The fourth application is for Conditional Use No. 2338 Lora Collins for purposes of an after-school program in an Agricultural Residential (AR-1) Zoning District. This application is currently pending scheduling for a public hearing before the Planning and Zoning Commission.

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

Owner Name	Second Owner Name	Mailing Address	City	State	Zipcode	PIN
GREENE RALPH W & SANDRA M	<Null>	35316 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-122.02
ZUKAS MICHAEL S	<Null>	PO BOX 880	BETHANY BEACH	DE	19930	134-15.00-122.03
HERDA PAMELA S	<Null>	28099 ADKINS RD	SALISBURY	MD	21801	134-15.00-113.03
MUSTIN WILLIAM L III	MUSTIN MELISSA C	216 ROLING KNOLL ROAD	BEL AIR	MD	21014	134-15.00-125.03
ZUKAS MICHAEL	<Null>	PO BOX 880	BETHANY BEACH	DE	19930	134-15.00-122.11
PICKHOLTZ ERIC M & ALAN I PICKHOLTZ	<Null>	6850 ANTINORI LN	BOYNTON BEACH	FL	33437	134-15.00-122.12
WARNER BRIAN J LINDA	<Null>	35347 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-122.13
RUHL WILLIAM A & MICHELE S	<Null>	35323 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-122.14
MUELLER JOSHUA E	<Null>	32415 PEPPERS CORNER RD	FRANKFORD	DE	19945	134-15.00-124.00
MUSTIN WILLIAM L III	MUSTIN MELISSA C	216 ROLING KNOLL ROAD	BEL AIR	MD	21014	134-15.00-125.00
ZIFF ALYSSA TTEE OF ALYSSA ZIFF REV TR	<Null>	36144 BAYARD RD	FRANKFORD	DE	19945	134-15.00-114.01
JONES BRYAN T	COLLEEN S JONES	34214 PEPPERS CORNER RD	FRANKFORD	DE	19945	134-15.00-113.00
MORGAN KATHLEEN MARIE	JEANNETTE SUE CHURCHILL	36672 BREAKWATER RUN	SELBYVILLE	DE	19975	134-15.00-113.01
ZIFF ALYSSA TTEE OF ALYSSA ZIFF REV TR	<Null>	36144 BAYARD RD	FRANKFORD	DE	19945	134-15.00-113.02
TANNER GARY M	<Null>	10509 DEAKINS HALL DR	ADELPHI	MD	20783	134-15.00-125.01
GACK ARTHUR H	JAANA E GACK	35378 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-137.00
GAINES ROBERT N SR & BARBARA E	HOVINGTON	35358 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-138.00
LEWIS MARGARET ANN *FOR LIFE* THEN TO	WILLIAM A LEWIS & TERESA L LEWIS TRUSTEE	34154 PEPPERS CORNER RD	FRANKFORD	DE	19945	134-15.00-113.04

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

34215 Peppers Corner Road, Frankford, DE 19945

Type of Conditional Use Requested:

Zoological Park

Tax Map #: 134-15.00-124.00 **Size of Parcel(s):** +/- 7.24 Acres

Current Zoning: AR-1 **Proposed Zoning:** AR-1 **Size of Building:** Varies - see plan

Land Use Classification: Zoological Park

Water Provider: On-site well **Sewer Provider:** On-site septic

Applicant Information

Applicant Name: Barnhill Preserve of Delaware, LLC (contact: Joshua Mueller)

Applicant Address: 34215 Peppers Corner Road

City: Frankford **State:** DE **Zip Code:** 19945

Phone #: _____ **E-mail:** j.mueller@barnhillpreserve.com

Owner Information

Owner Name: Joshua E. Mueller

Owner Address: 34215 Peppers Corner Road

City: Frankford **State:** DE **Zip Code:** 19945

Phone #: _____ **E-mail:** j.mueller@barnhillpreserve.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: LandDesign/ Plitko LLC (contact: Tom Ford)

Agent/Attorney/Engineer Address: Oak Square, Suite 3, 53 Atlantic Avenue

City: Ocean View **State:** DE **Zip Code:** 19970

Phone #: (302) 537-1919 **E-mail:** tjford51@aol.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.**
- ✓ **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.

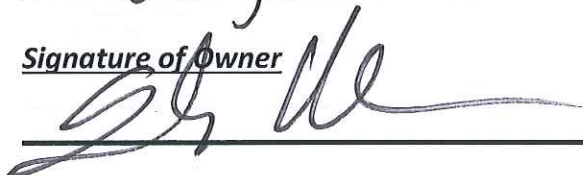
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney



Date: 9/1/21

Signature of Owner



Date: 9/1/21

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: _____



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

NICOLE MAJESKI
SECRETARY

April 12, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

This letter is to replace our letter dated April 9, 2021, regarding the **Joshua Mueller** proposed land use application. We are revising it to reflect a more specific land use.

The Department has completed its review of a Service Level Evaluation Request for the **Joshua Mueller** proposed land use application, which we received on March 30, 2021. This application is for an approximately 7.24- acre parcel (Tax Parcel: 134-15.00-124.00). The subject land is located on the southeast corner of Beaver Dam Road (Sussex Road 18) and Peppers Corner Road (Sussex Road 365). The subject land is currently zoned AR- 1 (Agricultural Residential) and the applicant seeks a conditional use approval for a Zoological Park.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Peppers Corner Road (Sussex Road 365), from Beaver Dam Road to Central Avenue is 1,864 vehicles per day. The annual average daily traffic volume along Beaver Dam Road (Sussex Road 368), from Peppers Corner Road to Central Avenue (Sussex Road 84), is 1,999 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.



Mr. Jamie Whitehouse
Page 2 of 2
April 12, 2021

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.

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:aff
Enclosure

cc: Joshua Mueller, a Delaware LLC, 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



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

NICOLE MAJESKI
SECRETARY

April 9, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

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Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Peppers Corner Road (Sussex Road 365), from Beaver Dam Road to Central Avenue is 1,864 vehicles per day. The annual average daily traffic volume along Beaver Dam Road (Sussex Road 368), from Peppers Corner Road to Central Avenue (Sussex Road 84), is 1,999 vehicles per day.

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Mr. Jamie Whitehouse
Page 2 of 2
April 9, 2021

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.

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Annamaria Furmato, Project Engineer, Development Coordination

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

RECEIVED

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **1/14/2022**

APPLICATION: **CU 2305 Barnhill Preserve of Delaware, LLC**

APPLICANT: **Barnhill Preserve of Delaware, LLC**

FILE NO: **SPS-5.04**

TAX MAP &
PARCEL(S): **134-15.00-124.00**

LOCATION: **Lying on the east side of Peppers Corner Road (SCR 365),
approximately 350 feet southeast of Beaver Dam Road (SCR
368)**

NO. OF UNITS: **Zoological Park**

GROSS
ACREAGE: **7.24**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

JAN 19 2022

SUSSEX COUNTY
PLANNING & ZONING

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? **Yes** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** 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? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
- 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? **Yes**
- (8). Comments: **Click or tap here to enter text.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (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

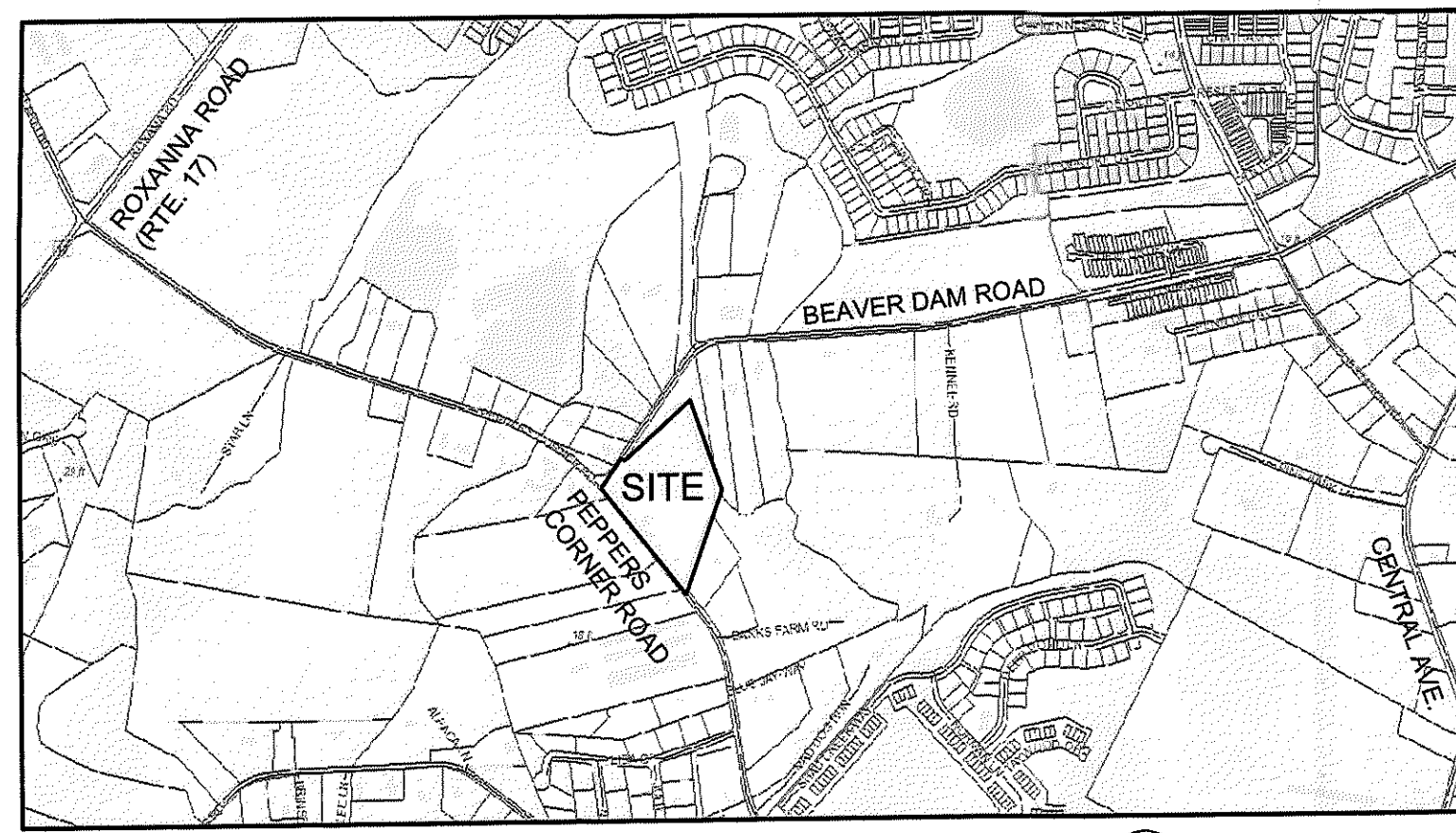
Xc: Hans M. Medlarz, P.E.
Lisa Walls
Noell Warren

Policy for Extending District Boundaries

1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

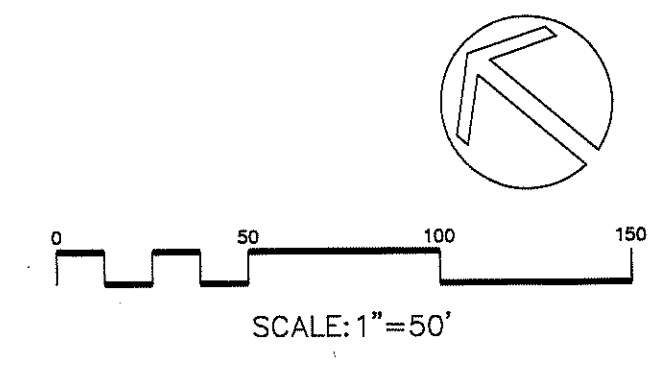
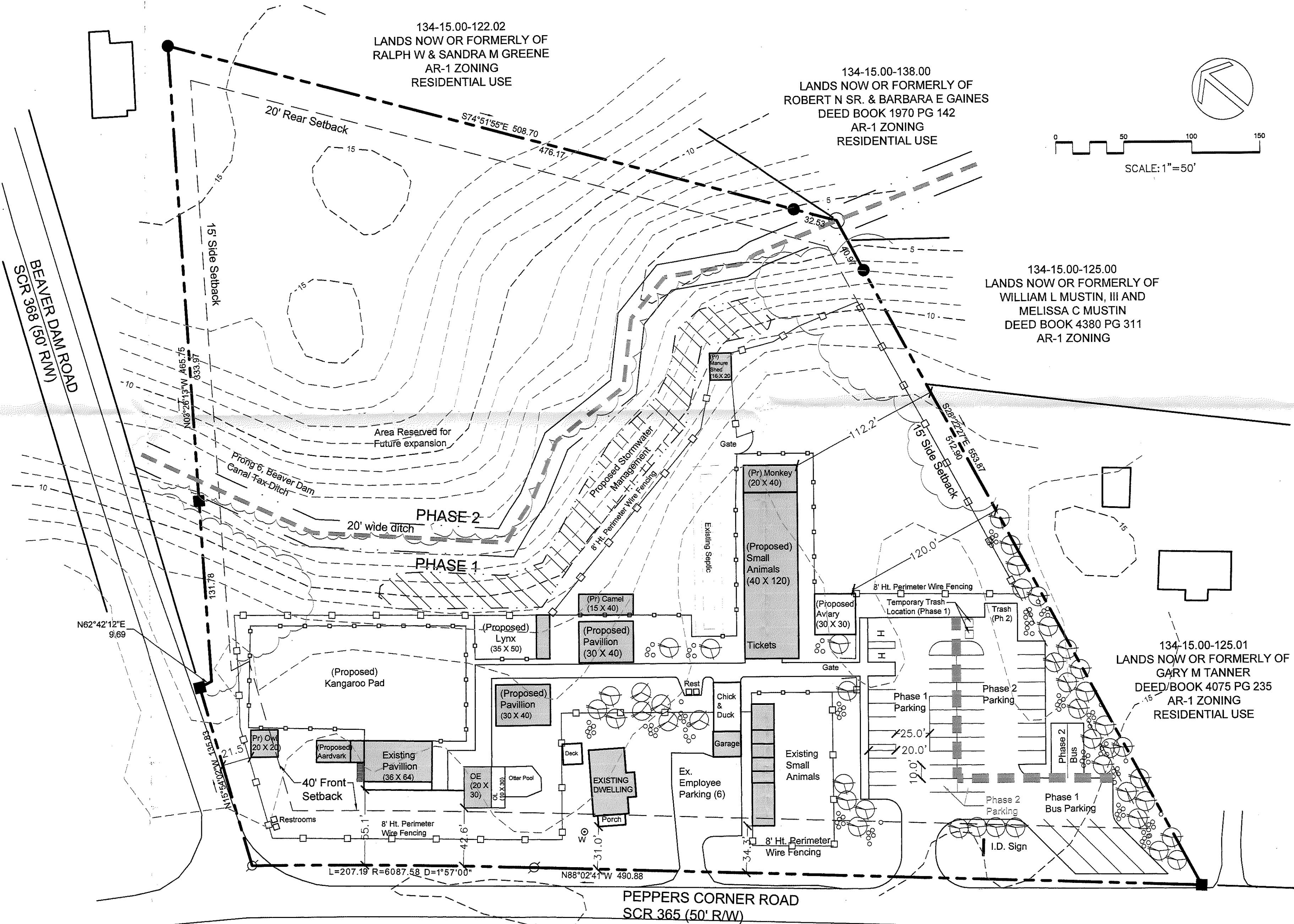
Application Fees	
Less than 2 acres	\$500.00
2.1 -9.99 acres	\$750.00
10 - 150.00 acres	\$1,500.00
Greater than 150.00 acres	\$2,500.00

4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.



VICINITY MAP
SCALE: 1"=1000'

- LEGEND:**
- PARCEL BOUNDARY
 - BUILDING SETBACK LINE
 - - - EXISTING TOPOGRAPHY
 - - - EXISTING TREELINE
 - ⊙ EXISTING WELL LOCATION
 - PROPOSED 8' PERIMETER FENCE LINE
 - PROPOSED ANIMAL ENCLOSURE FENCE LINE
 - PROPOSED PHASE LINE
 - PROPOSED LANDSCAPE PLANTINGS
 - ▨ PROPOSED STORMWATER MANAGEMENT (TO BE ENGINEERED)



SITE DATA:

1. TAX PARCEL: 134-15.00-124.00
PARCEL AREA: ±7.24 AC.
- LOCATION: 34215 PEPPERS CORNER ROAD
FRANKFORD, DE 19945
2. OWNER: JOSHUA E. MUELLER
34215 PEPPERS CORNER ROAD
FRANKFORD, DE 19945
- DEVELOPER: BARNHILL PRESERVE OF
DELAWARE, LLC
34215 PEPPERS CORNER ROAD
FRANKFORD, DE 19945
3. PRESENT ZONING: AR-1
PRESENT LAND USE: RESIDENTIAL/ WILDLIFE
EDUCATION CENTER
4. SEWER PROVIDER: ON-SITE SEPTIC
WATER PROVIDER: ON-SITE WELL
5. STATE INVESTMENT LEVEL: LEVEL 3

PROPOSED:

1. PROPOSED ZONING: AR-1 CONDITIONAL USE
PROPOSED LAND USE: ZOOLOGICAL PARK
PROPOSED BUILDINGS: AS SHOWN
2. BUILDING SETBACKS:
FRONT YARD: 40'
SIDE YARD: 15'
REAR YARD: 20'
MAX. BUILDING HEIGHT: 42'
3. PARKING: AS SHOWN
EXISTING: 6 EMPLOYEE SPACES
PHASE 1: 20 SPACES, 4 BUS SPACES
PHASE 2: 20 SPACES, 2 BUS SPACES

NOTES:

1. BOUNDARY SURVEY SOURCE: SIMPLER SURVEYING & ASSOCIATE FROM A DRAWING TITLED "LANDS OF GERALD K MUELLER & RUIHUA MUELLER", DATED AUGUST 4, 2005.
2. PRELIMINARY TOPOGRAPHY FROM SUSSEX COUNTY MAPPING WEBSITE. A TOPOGRAPHIC SURVEY WILL BE PERFORMED ON THE SITE AS THE PROJECT PROGRESSES.
3. THERE ARE NO FEDERAL 404 LANDS ON PHASE 1. THERE ARE NO STATE TIDAL WETLANDS ON PHASE 1. PHASE 2 TO BE EVALUATED FOR WETLANDS AT LATER DATE.
4. SITE IS IN FLOOD ZONE X (UNSHADED) AS SHOWN PER FEMA FLOOD MAP 10005C0495K DATED MARCH 16, 2015.

OWNER'S PLAN DEVELOPMENT APPROVAL:
I, as owner of the project shown, hereby approve these plans for development as shown or otherwise noted.

Joshua Mueller 9/1/21 Date
Joshua Mueller
Barnhill Preserve of Delaware, LLC

PREPARED BY

P PLITKO, L.L.C.
53 ATLANTIC AVE., STE 3
OCEAN VIEW, DE 19970
PH: 302-537-1919

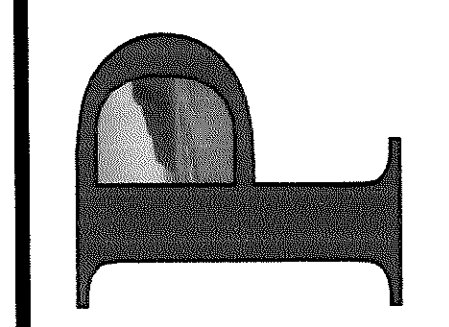
Robert Plitko, Jr. 9-7-2021 Date
Robert Plitko, Jr., PE DE#14093

REVISIONS

NO.	DATE	DESCRIPTION

LAND DESIGN
Surveying / Landscape Architecture
1000 N. DuPont Highway, Suite 403, Ocean View, DE 19970
302.537.1919 / landdesign@landdesign.com

PLITKO, LLC
53 ATLANTIC AVE., STE 3
OCEAN VIEW, DE 19970
Phone (302)-222-2075



PRELIMINARY PLAN
BARNHILL PRESERVE
34215 PEPPERS CORNER ROAD
BALTIMORE HUNDRED SUSSEX COUNTY DELAWARE

SITE PLAN: TJF	DATE
DRAWING: RWB	8/4/21
REVIEW: SLF	
SHEET	1
	OF 1 SHEETS

PRELIMINARY PLAN

C:\Users\jag2017\Dropbox\Family Room\PLITKO, LLC - Pre21\Barnhill_Bayard\Current\2021\0713-AR1.dwg, 9/1/2021 11:21:53 AM, HP Designfile 800 42 by HP, 1:1, LANDDESIGN, INC.

COVER LETTER

Enclosed you will find a letter from the Pickholtz Family requesting denial of the Application from Barnhill Preserve case no.# C/U 2305 to conduct a a large commercial enterprise in a Residential area.

In preparing this document we were surprised to learn that this Commercial Enterprise has been running for close to 2 years already without approval from any Sussex County licensing board. We have included some photos from their website.

We hope you will share this letter with the zoning board members and at the zoning meetings scheduled for Feb. 10th and March 22nd. We hope to attend both meetings either virtually and/or in person.

You can contact us in these ways at present:

email: barbarapickholtz@comcast.net

fax: 561 734-9008

mail: Barbara Pickholtz, 6850 Antinori Lane, Boynton Beach , FL 33437

RECEIVED

JAN 27 2022

SUSSEX COUNTY
PLANNING & ZONING

January 24, 2022

TO: Mr. Jamie Whitehouse, Director Sussex County Planning and Zoning Commission

FROM: The Pickholtz Family, 35271 Beaver Dam Road, Frankford , DE 19945

RE: Case # C/U 2305 - Barnhill Preserve of DE, LLC - Use of Land in an AR-1 for a Zoological Park in Frankford , DE

The Pickholtz Family members have been owners of residential properties in Sussex County since 1989. This letter is in reference to a currently owned property at 35271 Beaver Dam Road in Frankford and the zoning issue case listed above.

We believe that approval of this variance will impact in a negative way on the environment of this area, it's quiet beauty, and its residential nature. People who bought homes and live in this area did so to relax and enjoy this beautiful area of Sussex County knowing that no large commercial enterprise would be built in their backyards.

Furthermore, we do not understand how the owner of this property has already been allowed to actually conduct this business without county approval. The website for this commercial business indicates many activities already taking place, including the serving of liquor. Has the business been granted a liquor license ?

In researching the term "zoological park", we have found that most often these are large commercial enterprises. We feel this particular type of commercial enterprise has many downsides including safety issues, noise issues, traffic issues, waste management and rubble issues. It could also have a potential negative impact on the property values of the surrounding residents. This cannot compare to a small farm market or other small commercial endeavor by a landowner.

In addition, the zoo animals already living on the property, not domestic or farm animals, can sometimes be heard crying at night. Maybe the Humane Society or ASPCA should have input as to whether this is an appropriate use of residential/agricultural land?

We therefore urge you to deny this zoning request and to instruct the owner of the property to find a safe zoo for these animals. These animals belong in an appropriate environment? They are being kept here for the sole purpose of human amusement and large profits!

How VERY SAD !!



Book LA!

Barn Hill Louisiana

Book DE!

225-286-3003

Barn Hill Delaware

Sippin' With Sloths

Become fast friends with the slowest creature on earth while enjoying a glass of vino.



Sloths are the world's slowest creatures and are beloved by countless people. Barn Hill preserve is home to several two-toed sloths, and is now offering tickets for monthly Sippin with Sloths events!

During your time with us, you will learn all about sloth behavior and ecology, pose for so many selfies, and top it all off by hand-feeding one of our special slow-moving guests of honor! Oh and did we mention you get to drink wine while doing it?

Tickets are sold by table size and include a beverage for each seat, a private sloth encounter for your group, and a 4x6 glossy print of your encounter.

Slow Down

A sloth's top speed, when threatened is .17 MPH.

Animal Safety

A top priority is to ensure our animal ambassadors are safe and secure at all times.

Don't Touch!

A sloth's skin is extremely sensitive, and the oils from human hands can cause significant harm to them

Support Conservati

A portion of every ticket goes toward supporting conservation across the



Book LA!

Book DE!

225-286-3003

Barn Hill Louisiana

Barn Hill Delaware



The World of Animals is Waiting for You

Barn Hill is home to over 25 species of exotic animals including
two-toed sloths, red kangaroos, an armadillo and more!



Facility Visits

[Learn More](#)



Sippin With Sloths

[Learn More](#)



Kangaroo Yoga

[Learn More](#)



Paint N Sip

[Learn More](#)

Hear From Satisfied Park Guests

We use cookies on our website to see how you interact with it. By accepting, you agree to our use of such cookies. [Privacy Policy](#)

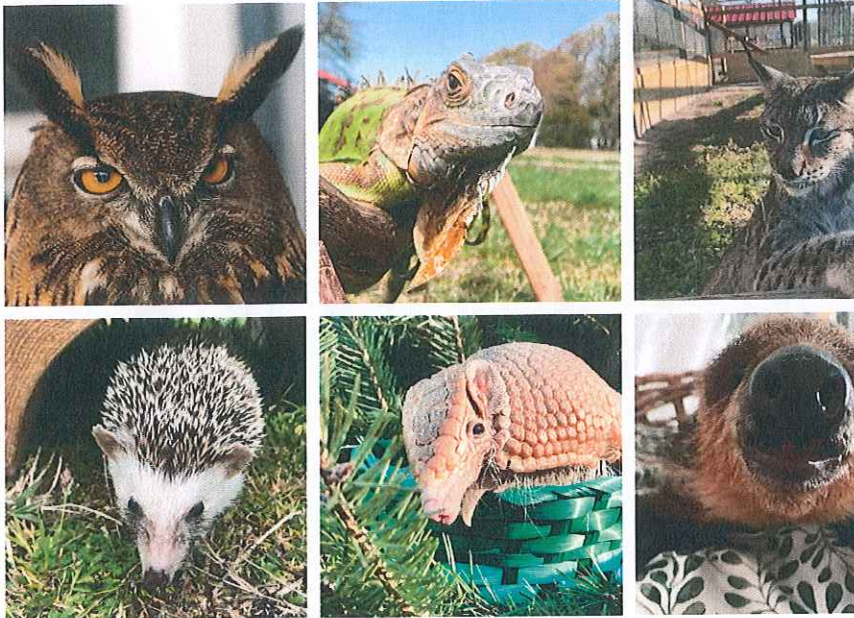
Settings

Accept



enthusiastic. They were protective of my children and gentle with the creatures. It was 2 hours of close animal encounters. Most but not all of the animals we got to pet and hold. There was not one boring moment. We were completely entertained. We were captive to the beautiful animals of Barn Hill Preserve. It was only 12 miles from Ocean City. Do not miss this awesome experience! It doesn't look like anything on the outside but the facility is new and the experience was worth every penny.

Ivyhorse I. via Google



Meet Our Animal Ambassadors

[View Gallery](#)

Need to Know Info

A well-informed guest is a happy guest

The majority of our facility and encounter tours are under covered shelter, meaning rain will not be a factor for planning your visit to us.

Outside animals, including dogs, are not allowed to attend due to the fact that we have live animals, and cannot predict how they and your pet will interact. This is for everyone's safety.

Please plan to arrive 10-15 minutes prior to your scheduled visit so we can have you checked in and begin the presentation on time. If you arrive late, there is no guarantee you will get the full presentation experience.

We ask that you purchase your tickets prior to your visit. We only have select dates and times that we are open and each time slot has a max amount of participants to ensure everyone has a memorable experience.

Each encounter is specific to the animal being encountered. Some animals are dangerous to pet or are solitary so our encounter will allow you to get up-close without endangering you or our animals. Most of the time if an animal can't be touched, we offer hand feeding opportunities to still get that bonding moment with our animals!

We do not allow smoking or vaping at our facility and ask that you step outside of our perimeter fence to do so.

Check Out Our Upcoming Events

We use cookies on our website to see how you interact with it. By accepting, you agree to our use of such cookies. [Privacy Policy](#)

Settings Accept X



Book LA!

Book DE!

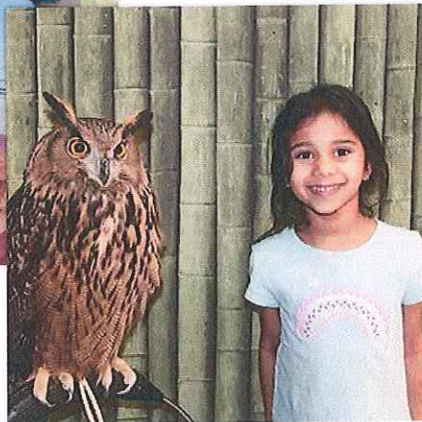
225-286-3003

Barn Hill Louisiana

Barn Hill Delaware

Encounter Tours

Get wild at Barn Hill Preserve with our animal shows and encounter tours!



A Barn Hill Preserve Animal Show is a 30 minute educational presentation featuring five of our awesome animal ambassadors!

During the show, you and your group will learn about each animal's behaviors and other fun facts about them, even get to touch and feel some of those animals as well! If you are interested in a more interactive experience, the Encounter Tour is for you!

An encounter tour includes the animal show PLUS our kangaroo walkabout and encounters with our birds, a small mammal, and three reptiles! Sloth encounters are also available as an additional add-on to both types of experiences.

Animal Abundance

Barn Hill is home to over 25 different varieties of animal species, so you are sure to find some creatures you may have never heard of.

Knowledge is Power

Our caretakers have expert level knowledge, and have built close bonds with the animals. Combined, those two things make for an unforgettable visit at our facility.

Constant Expansion

Barn Hill Preserve of Delaware began as a fully mobile unit, and began welcoming visitors to our property in 2020. We strive to continually improve the facility for our animals and our guests!

Family Fun

Since we place such an emphasis on education through hands on experience, encounter tours are perfect for kids & a great family bonding activity.

Pricing & Info

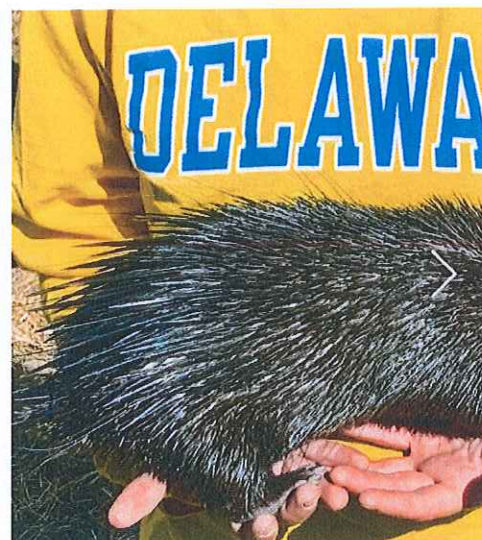
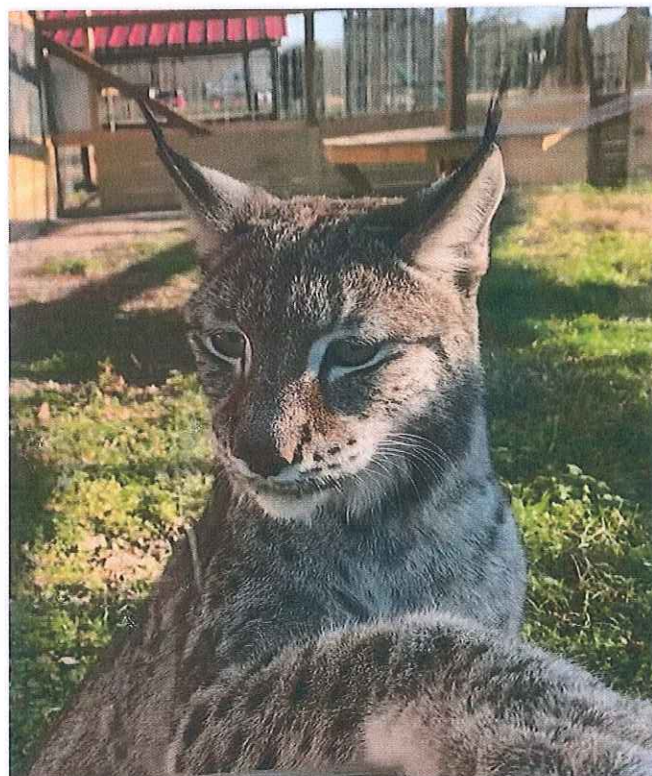
We take the safety of our animal ambassadors very seriously, so some animals may not be available to see the public due to medical treatment, behavior, etc.

Animal Show Tickets are our base level ticket and lasts 30 minutes. Encounter Tour Tickets include an animal show plus about an hour more full of up-close and personal encounters with our animal ambassadors.

Animal Show Ticket
 Adults (12+ years old): \$30
 Child (3-11 years old): \$20
 Children 2 & Under: FREE
 Senior/Sussex County Local: \$25

Encounter Tour Only Tickets: \$60

Book Now!



Hear From Satisfied Guests

Guess what part of our BEACH vacation our family loved the most??
 Nope, not the beach - Barn Hill Preserve!! The animal encounters were

NOTICE PUBLIC HEARING

Before the Sussex County Planning and Zoning Commission and Sussex County Council. To be held concerning this property in the county. Administrative Office Building, Georgetown, Sussex County, Delaware
Application Of: WALTON HESSNEY, DAVID Case No. CU 2305
Who Is Seeking a Conditional Use of Land in: AGRICULTURAL
RESIDENTIAL Zoning District for: _____

Sussex County Planning and Zoning Commission Hearing
to be held: Date: FEBRUARY 9, 2022 Time: 5:00 PM

Sussex County Council Hearing To be held
Date: MARCH 22, 2022 Time: 1:30 PM

Text and maps of this application may be examined
at the planning and zoning office in the county administrative
office building or additional information may be obtained by
calling (302) 855-7878

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
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

Jamie Whitehouse

From: Sandy Greene <sandygreene@mchsi.com>
Sent: Wednesday, February 9, 2022 2:08 PM
To: Jamie Whitehouse
Cc: Planning and Zoning
Subject: Application CU2305 Barn Hill Preserve
Attachments: 20190706_174457.jpg; 20190706_174631.jpg

FILE COPY

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Mr. Jamie Whitehouse, Director
Planning and Zoning Commissioners
Sussex County Planning & Zoning
PO Box 417
Georgetown, DE 19947

RECEIVED

FEB 09 2022

SUSSEX COUNTY
PLANNING & ZONING

To Whom it may concern:

We are writing to you regarding the application by Barnhill Preserve LLC and Joshua Mueller to operate a zoological park on 7.24 acres on the corner of Peppers Corner Road and Beaver Dam Road. There are several items of concern we feel the Planning and Zoning commission should take into consideration and deny this application. This first being that proper approvals were never sought before construction.

When housing animals in numbers above "household pets" level, DNREC requires a state registered and approved nutrient management plan to address manure to prevent seepage into groundwater and natural waterways. With this application there is no indication that this requirement has been met, instead it appears that their plan is to pile up manure in a shed along the edge of Beaver Dam Canal. Beaver Dam Canal is a viable waterway with several fish, turtle and crayfish species living in the water adjacent to this property. Additionally, Beaver Dam Canal is part of the headwaters for Miller's Creek and Little Assawoman Bay. In addition to the manure shed, the proposed plat indicates storm water management is to be located within the easement required by Sussex County Conservation District to maintain this waterway.

This noncompliant facility already has track record of escaped animals. Attached are photos of a South American rodent species known a Red Rumped Agouti. This picture was taken in my back yard in July 6, 2019. When contacted, Mr. Mueller denied ownership of this exotic rodent. Finally, after several days, Mr. Mueller admitted it was from his facility but made no attempt to retrieve the animal. It subsequently spent several weeks feeding from the kitchen scrap compost pile I maintain on my property and was living in the green briar brush in back of our property.

Mr. Mueller with his noncompliant facility has not been a good neighbor to the people and domestic animals that live around this property. Multiple large fireworks events have been held as well as loud and raucous bonfire events late into the night have disrupted this peaceful neighborhood and traumatized many pets and livestock. At one point we were concerned that Our woods would catch on fire.

This application also doesn't indicate that the exotic animals have even been registered with the State of Delaware as required by Title 3 Agriculture Delaware Administrative Code or if the facility has been Accredited as required by section 7.2 of this code.

We sincerely believe this is not a good use for the property and the application should be denied.

RECEIVED

FEB 09 2022

SUSSEX COUNTY
PLANNING & ZONING



RECEIVED

FEB 09 2022

SUSSEX COUNTY
PLANNING & ZONING



Jamie Whitehouse

From: Micki Ruhl <m.ruhl@mchsi.com>
Sent: Wednesday, February 9, 2022 9:25 AM
To: Jamie Whitehouse
Subject: Another comment on Barn Hill Preserve planning and Zoning hearing

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Planning and Zoning Commision:

After further reviewing the site plan of the proposed expansion of Barn Hill Preserve, another question has arisen. What are the specific plans for the Phase 2 section? As that section also touches existing residential property, it seems fair for those property owners and others nearby that the plans should be made public before the zoning changes are approved.

Thank you,

Michele and Wm. Allen Ruhl

35323 Beaver Dam Rd

Frankford DE 19945

302-745-8174

Sent from my iPhone

Jamie Whitehouse

From: Micki Ruhl <m.ruhl@mchsi.com>
Sent: Tuesday, February 8, 2022 10:28 PM
To: Jamie Whitehouse
Subject: Comments on proposed Barn Hill Preserve conditional use hearing

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Sussex County Planning and Zoning:

We are property owners down the street from Barn Hill Preserve. We feel that there are many questions which are not yet clarified when it comes to establishing a zoological park in our neighborhood. For example, we would like to see Barn Hill's plan on if/how they intend to gain AZA accreditation and what is the timeline would be. This AZA accreditation is important for the health and welfare of the animals within the zoo and for the safety and peace of mind of the surrounding neighborhood. Barn Hill Preserve has rapidly evolved over a period of years and it is not a traditionally familiar business in our area, therefore we want to make sure that this is done in the safest way possible with the most up to date oversight as needed.

Other things that are of concern are the manure shed's proximity to Beaver Dam Tax Ditch. We wonder also if there is a nutrient management plan in place for the animal waste. Properties in this neighborhood are served by private septic systems and a concern would be whether such a system could handle the capacity of a higher volume of visitors. We also would like to know how the safety and care of the animals is officially reviewed. For example, what organization would do such a review, how often would this review occur, and would the public be able to access these review reports.

We would appreciate if the Planning and Zoning Commission would address these concerns before making a decision.

Respectfully,

Michele and W. Allen Ruhl

35323 Beaver Dam Rd.

Frankford, DE 19945

302-745-8174

Sent from my iPhone

Jamie Whitehouse

From: boxter747@aol.com
Sent: Wednesday, February 9, 2022 9:53 PM
To: Jamie Whitehouse
Subject: Barn Hill Preserve

Opposition
Exhibit

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Hello,
I am Gary Tanner the owner of 134-15.00-125.01

I would like to express my concerns about the unwanted overdevelopment of the aforementioned property on Peppers Corner. I have seen the proposed plan for Barn Hill Preserve.

The infrastructure is grossly insufficient to accommodate a large parking area for busses and automobiles. The plan shown, omits illumination / lighting for public safety. This is a rural area that this commercial venture disrupts the spirit of the area. Every neighbor abhors this illegal use of land in this neighborhood. Most every complaint is: Barn Hill is trashing the community again.

We have worked tirelessly to prevent the further expansions of blight in Delaware, long before this charade known as Barn Hill set up shop. This Barn Hill Preserve is a totally unacceptable commercial business in an agricultural residential zoned area.

Barn Hill admits they are overcrowded and need 100 acres to accomplish a "real preserve" as they articulated in Media interviews, yet they will throw something together on the 5 useable acres west of the tax ditch. This is a disgrace !

There are 8 foot corral pens beyond the proposed parking area that currently do not follow the 15 foot set back. However, if moved to the 15 foot requirement, they are still too close to my residential property. It's my understanding that these were built as ad hoc endeavor as Sussex County is unable to regulate these additions. (Barn Hill can ask for forgiveness instead of permission)

The area further east is being used as a manure dump site that spoils the cleanliness of the waterway in the tax ditch known as the Beaver Dam Canal. Illegal dumping occurs regularly. Many artisan wells are being spoiled, including my property.

The unsightly "pavilions" are in fact "illegally constructed" support structures / sheds and shacks. Building Permits for most of these were not obtained. They are unsanitary / unkept and unsafe habitats for caged, (some exotic) animals that are suffering from irresponsible unlicensed workers. This animal Cruelty is outrageous ! Animal escapes are frequently observed. Large jungle cats are threatening pets and wildlife, as rodents populations are increasing.

The local Animal Rescue groups and PETA are against these types of businesses. (as noted in their complaints)

Sussex County has a well documented history of problems and complaints pertaining to the Muellers Properties, which now includes this complaint about this Property.

I am told that the current zoning prohibits this type of commercial business use in these areas.

We as a community ask that you :

Please ban the Barn Hill Application as your denial would help restore our agricultural setting that we have worked to maintain.

Sincerely yours,

Gary Tanner
410 570 2998

Sent from the all new AOL app for iOS

Jamie Whitehouse

From: boxter747@aol.com
Sent: Friday, February 11, 2022 11:29 AM
To: Planning and Zoning
Subject: Barn Hill Preserve opposition

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Hello,

I am Christine Tanner wife of Gary Tanner, the owner of 134-15.00-125.01, which is the adjacent property to the Barn Hill Preserve.

After viewing the Planning and Zoning Meeting Chamber Broadcast on February 10, 2022. I felt the need to follow up and add to the record of the previous letter sent February 9, 2022 and report to you about comments and representations presented by Barn Hill and Josh Mueller to the committee.

Alleged by Mr. Josh Mueller, he said the escaped animals was not his or Barn Hill Preserves exotic rodent. He claims someone else must have brought it to the area. I am told there is an E-mail/text correspondence from Mr. Mueller staying the contrary to what he told the members last night. I have provided the email enclosed here-in.

Mr. Josh Mueller made a representation that he lived on that property since he was a child. That is an impression that he farmed the property with chickens, hogs and other farm livestock. On the contrary, it was always his (deceased) father Jerry Muellers' land. Jerry told us his intention was to develop the property into a commercial property by any means possible.

The fact is Josh lived there as a child briefly with his mother and father before his parents divorced. Josh was residing elsewhere afterwards.

The property then became a rental property that "was" in compliance with the zoning laws at that time. Animals were in pasture in that area from several different renters. There were no problems with that farm in our community. The neighborhood likes the peaceful agricultural / residential area of Peppers Corner. This community is rich in farming history and has enjoyed it as such.

The neighbors and community objects to a Theme Park / Amusement Park commercial operation that is currently being run illegally on the property.

In Muellers Testimony on February 10, 2022 he acknowledged he collects (expensive) fees to allow people access to his farm to educate others.

He is teaching these ticket holders to crowd and cage non-domesticated animals in a environment foreign to their natural habits. People testified that animals frequently cry out in pain late onto the night. These animal s are subject to harsh weather conditions and cruelty, regularly !

Mr. Mueller claims they close at 7:00 pm. That might be his intention, however I am told there are often no less than 10 employees and volunteers that disrupt the neighborhood. Many reside on this property any any given time. It's has dormitory for workers. Along with that are loud party's, fireworks, bond fires and wild activity. That is another violation

of zoning laws. Along with this are their numerous vehicles (with out of state licensed or expired tags) that clutter the property. We have worked tirelessly to clean the blight in Delaware. This Barn Hill Preserve creates a trashy dump yard condition that is being presented under the guise of a zoo / farm.

Barn Hill also made statements in this same hearing that they are attempting to bridge the Beaver Dam Canal for more encroachment into protected areas of wetlands. I have seen dumping of animal wastes into this canal. This is must stop !

The presentation was about : how wonderful and compassionate Josh is with animals. That may be admirable, however the THE ILLEGAL USE OF PROPERTY was never nearly discussed.

It appeared in the presentation that people were gushing at the idea of having “Kangaroo Yoga” or “Painting with the Sloths” and people might enjoy a photo opportunity with exotic animals and some wine. Thusly, they run a Commercial Carnival Enterprise outside allowable existing laws. This was direct testimony from Mueller / aka Barn Hill of Louisiana, Ohio and Tennessee.

WE DON'T WANT THIS AMUSEMENT PARK IN OUR NEIGHBORHOOD.

I look at this from an community perspective.

Josh Mueller and Barn Hill Corporate is running carnival park, with a zoo theme park like setting in a residential agricultural community.

THEY ARE NOT HOUSING ANIMALS AS A FARM in the historically accepted farm use. It is a moneymaking venue ...read the negative reviews from unhappy guests on the Barn Hill site and other review sources.

I write these and additional letters to the planning and zoning members in the hope and trust for the fiduciary consideration. For the record, you as commission members will be doing a great service to our community by denying this Barn Hill application and have them cease and desist any further operations. If not, and allowed to continue, at the very least you, will be informed of the real situation that exists at Peppers Corner and Beaver Dam Road.

Thank you for your consideration.

Christine Tanner
302 493 6228

Sent from the all new AOL app for iOS

Jamie Whitehouse

From: boxter747@aol.com
Sent: Friday, February 11, 2022 11:34 AM
To: Planning and Zoning
Subject: Attn Mr. Wheatley

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Thank you for your consideration.

Christine Tanner

10:41

1



Josh Mueller

Active 7h ago

JUL 09, 2019, 2:40 PM

Did you guys lose an a

JUL 09, 2019, 3:37 PM



I think one got out

It was in m

I have a trap set up so I'm hoping he goes into it. They don't bite, they are just very

Jennifer Norwood

From: Jamie Whitehouse
Sent: Friday, February 11, 2022 3:56 PM
To: Jennifer Norwood
Subject: Fwd: Barn Hill / February 10, Hearing

RECEIVED
AFTER
PUBLIC HEARING

Additional comment received- Please print in color for the file.

From: boxter747@aol.com <boxter747@aol.com>
Sent: Friday, February 11, 2022, 10:31 AM
To: Jamie Whitehouse
Subject: Barn Hill / February 10, Hearing

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I felt the need to follow up and add to the record of the previous letter sent February 9, 2022 and report to you about comments and representations presented by Barn Hill and Josh Mueller to the committee.

Alleged by Mr. Josh Mueller, he said the escaped animals was not his or Barn Hill Preserves exotic rodent. He claims someone else must have brought it to the area. I have been told there is an E-mail correspondence from Mr. Mueller stating the contrary. I have provided the email enclosed here-in.

Mr. Josh Mueller made a representation that he lived on that property since he was a child. That is an impression that he farmed the property with chickens, hogs and other farm livestock. On the contrary, it was always his (deceased) father Jerry Muellers' land. Jerry told us his intention was to develop the property into a commercial property by any means possible.

The fact is Josh lived there as a child briefly with his mother and father before his parents divorced. Josh was residing elsewhere afterwards.

The property then became a rental property that "was" in compliance with the zoning laws at that time. Animals were in pasture in that area from several different renters. There were no problems with that farm in our community.

The neighborhood likes the peaceful agricultural / residential area of Peppers Corner. This community is rich in farming history and has enjoyed it as such.

The neighbors and community objects to a Theme Park / Amusement Park commercial operation that is currently being run illegally on the property.

In Muellers Testimony on February 10, 2022 he acknowledged he collects (expensive) fees to allow people access to his farm to educate others.

He is teaching these ticket holders to crowd and cage non-domesticated animals in a environment foreign to their natural habits. People testified that animals frequently cry out in pain late onto the night. These animals are subject to harsh weather conditions and cruelty, regularly !

Mr. Mueller claims they close at 7:00 pm. That might be his intention, however I am told there are often no less than 10 employees and volunteers that disrupt the neighborhood. Many reside on this property any any given time. It's has dormitory for workers. Along with that are loud party's, fireworks, bond fires and wild activity. That is another violation of zoning laws. Along with this are their numerous vehicles (with out of state licensed or expired tags) that clutter the property. We have worked tirelessly to clean the blight in Delaware. This Barn Hill Preserve creates a trashy dump yard condition that is being presented under the guise of a zoo / farm.

Barn Hill also made statements in this same hearing that they are attempting to bridge the Beaver Dam Canal for more encroachment into protected areas of wetlands. I have seen dumping of animal wastes into this canal. This is must stop !

The presentation was about : how wonderful and compassionate Josh is with animals. That may be admirable, however the THE ILLEGAL USE OF PROPERTY was never nearly discussed.

It appeared in the presentation that people were gushing at the idea of having "Kangaroo Yoga" or "Painting with the Sloths" and people might enjoy a photo opportunity with exotic animals and some wine. Thusly, they run a Commercial Carnival Enterprise outside allowable existing laws. This was direct testimony from Mueller / aka Barn Hill of Louisiana, Ohio and Tennessee.

WE DON'T WANT THIS AMUSEMENT PARK IN OUR NEIGHBORHOOD.

I look at this from an community perspective.

Josh Mueller and Barn Hill Corporate is running amusement park, with a zoo theme park like setting in a residential agricultural community.

THEY ARE NOT HOUSING ANIMALS AS A FARM in the historically accepted farm use.

I write these and additional letters to the planning and zoning members in the hope and trust for the fiduciary consideration. For the record, you as commission members will be doing a great service to our community by denying this Barn Hill application and have them cease and desist any further operations. If not, and allowed to continue, at the very least you, will be informed of the real situation that exists at Peppers Corner and Beaver Dam Road.

Thank you for your consideration.

Christine Tanner
302 493 6228

Sent from the all new AOL app for iOS

10:41

5G E

1



Josh Mueller

Active 7h ago



JUL 09, 2019, 2:40 PM

Did you guys lose an agouti?

JUL 09, 2019, 3:37 PM



I think one got out

It was in my yard

I have a trap set up so I'm hoping he goes into it. They don't bite, they are just very skittish



He was down by the ditch too

AUG 01, 2019, 12:16 AM

Hey man, I've seen the agouti three times this week, come set a trap at my place. I don't want the little fucker to die when it gets cold haha

AUG 01, 2019, 6:39 AM

Haha ill swing ↓ today. Thanks I've had one set up here but



Aa



Follow-up LETTER to previous letter RE: #C/U 2305

After attending a very interesting and educational meeting on Feb 10th, the Pickholtz Family continues to request denial of the Application from Barnhill Preserve case no.# C/U 2305 to conduct a large commercial enterprise in a Residential area.

Listening to Mr. Mueller describe his love of animals and his support of animal causes was very commendable. But for him to even remotely believe this zoo is an educational facility is a stretch. As a teacher of 52 years, we had dozens of zoologists visit our schools and teach the children about animals. This is what Mr. Mueller should be doing with his educational expertise.

This Zoo, that he runs in a residential area, with activities such as drinking wine, yoga and painting is purely for human amusement and to make money. I find it hard to believe that the families who live here can afford his prices. The children would learn more in an educational environment.

Also, the commission members spoke of stipulations on many of the requested zoning changes. We do not see how those stipulations could be monitored considering Mr. Mueller has run this business without Sussex County approval for this long already with no monitoring. Who will monitor the zoo and how often? Cars and buses have been parked on the main roads in the past.

Frankford is a quiet residential area. It needs housing, schools and infrastructure - not a large commercial zoo.

Please share this letter with all the commission members.

Thanks you - the Pickholtz Family

RECEIVED

FEB 14 2022

SUSSEX COUNTY
PLANNING & ZONING

You can contact us in these ways at present:

email: barbarapickholtz@comcast.net

fax: 561 734-9008

mail: Barbara Pickholtz, 6850 Antinori Lane, Boynton Beach , FL
33437

02/07/2022

Re: C/U 2305
Barn Hill Preserve of DE LLC
Parcel 134-15.00-124.00

FILE COPY
Applicant
Exhibit
RECEIVED
Received at Public Hearing.
FEB 10 2022

To whom it may concern,

SUSSEX COUNTY

I am writing to express my support for Barn Hill Preserve and the application made for a conditional use of the AR-1 district. My wife and I live on Peppers Corner Road; directly across from Josh Mueller and his Barn Hill Preserve. I have discussed the plans for a zoological park with Josh and he has shared his concept plan with me. I don't have any issues with what is proposed on this parcel. I own and operate a small farm and from my point of view an operation such as Barn Hill Preserve seems very similar to an agritourism business. As a neighbor, Barn Hill Preserve has been conscientious of the fact that the surrounding parcels are residential homes. Josh has taken steps to help mitigate issues associated with running a business that is open to the public. Such as the increase in traffic, noise and lighting. Barn Hill Preserve is a unique operation that brings a special opportunity to the local community as well as to the tourists visiting the area. Again, I support this application for the conditional use of a zoological park in an AR-1 district.

Sincerely,

Bryan T. Jones
Bryan Jones

 **amanda conrad**
★★★★★ 10 weeks ago
Highly recommend new gem to our area.


[Reply](#)

 **James Lucas**
★★★★★ 11 weeks ago
Hidden gem!!!


[Reply](#)

 **Kelly Lawyer**
★★★★★ 12 weeks ago
We had an amazing time at the Barn Hill! The staff was friendly and knowledgeable and the up close and personal nature of the experience was unmatched. I highly recommend it and would definitely go again!!


[Reply](#)

 **Michelle Rowan**
★★★★★ 12 weeks ago
Had a great visit on Saturday 11/13. Found via an online search and have to say that this was a perfect way to spend a couple hours. Our two kids (8&10) had a lot of fun and got to interact up close with a Camel, a pack of kangaroos and other animals. The staff were great and very knowledgeable and we could tell that they take very good care of the animals. Will definitely make our way back there with friends on our next trip to OCMD.


[Reply](#)

 **Nicole Grossman**
★★★★★ 13 weeks ago
My friend and I went to visit Barn hill Preserve this past weekend. We had the best time! They were very knowledgeable... [More](#)


[Reply](#)

 **Sarah Mills**
★★★★★ 14 weeks ago
I signed up for Kangaroo yoga with my sister and we had a wonderful time! We got plenty of time to snuggle with the kangaroos and the yoga instructor was attentive to our levels and understanding when we were distracted by the roos. The animals were in good shape and I am looking forward to returning for some of their other experiences!

[Reply](#)

 **Greg H.**
★★★★★ 14 weeks ago
We really enjoyed our animal encounter. The animal guides were very friendly and did not rush us through the experience at all. We had plenty of time to get up close and personal with our new furry, and scale-y, friends. Great for kids and adults.

[Reply](#)

 **Jennifer Brennan**
★★★★★ 15 weeks ago
We had a wonderful experience at Barn Hill. The staff was very knowledgeable and friendly. All of the animals looked very well cared for. You can tell the staff takes pride in everything they do to make the encounter safe and enjoyable for everyone.

RECEIVED

FEB 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Received at Public Hearing.



Donna Nelson

★★★★★ 15 weeks ago

Such a wonderful experience. A must see. Animals well taken care of and have great relationships with the staff. Everyone was friendly and knowledgeable.

[Reply](#)



Jennifer Cavin

★★★★★ 16 weeks ago

Nice small animal preserve. Got to see and interact with some cool animals. Loved feeding the sloths!

[Reply](#)



Jessica Eve

★★★★★ 18 weeks ago

I drove 3 hours each way to get here, and it was worth it! The staff were incredible. Friendly, knowledgeable, and committed to ensuring everyone had a great time and all their questions were answered. We got to put and hold so many furry, scaly, and spiky animals. This is a great place for people of all ages to enjoy!

[Reply](#)



anita iannone

★★★★★ 18 weeks ago

What a great experience, so happy we stumbled upon this little treasure

[Reply](#)



Carolyn Duncan

★★★★★ 20 weeks ago

Great place and everyone was so nice! The owner knows lots of information about each of the animals housed here and spent a good deal of time educating me about them. I was able to hold the hedgehog, Joey (baby kangaroo) and got to feed the sloths! What a great experience! Thank you!

[Reply](#)



Earl Blansfield Photography

★★★★★ 20 weeks ago

The hosts were amazing. We enjoyed the peace and quiet as well as the animals. We will definately be back.

[Reply](#)



Jennifer Moyer

★★★★★ 22 weeks ago

I went on an animal encounter tour here today and LOVED it. Everyone was so kind and knowledgeable, and I could tell how much they cared about the animals. They are a growing animal preserve and it was nice to get to really interact with some of the animals they have there. Definitely the highlight of my trip to Delaware!

[Reply](#)



Katie Cook

★★★★★ 22 weeks ago

Totally awesome experience! Was originally a mobile educational animal encounter, but now they're growing and expanding their facility/activities. Where else can you be up close and personal with sloths or hold a baby kangaroo? Very friendly and informative staff. Can't wait to come back to do kangaroo yoga and "hang" with sloths and other cool animals! Will be recommending to family and friends who are traveling to Delaware or Louisiana!

[Reply](#)



Debbie Davis

★★★★★ 22 weeks ago

Very knowledgeable staff and lots of opportunities to interact with the animals. Fantastic way to spend a few hours--fun for all ages.

[Reply](#)



Benjamin Rainier

★★★★★ 22 weeks ago

Loved the preserve. Staff was knowledgeable and appeared to be really attached to the animals. It was so cool to hold the Joey and feed the sloth.

[Reply](#)



Lisa Wiles

★★★★★ 22 weeks ago

While vacationing in OCMD, we decided to look for adventures away from the boardwalk. I found Barn Hill Preserve in a brochure, and since I love animals, learning and fun new things, we decided to go. We were a little leery when we arrived, but it was so much fun and very educational. It is a fairly new operation as far as allowing visitors, but the young ladies working there were fantastic and very knowledgeable.



Barn Hill Preserve of Delaware (owner)

22 weeks ago

Thank you for visiting! We are happy you had a great time and we hope you return next summer. We are constantly trying to expand and improve to make guest experience as great as possible!

[Edit](#)

[Delete](#)



Jeremy Ehrlich

★★★★★ 22 weeks ago

Great place for kids or animal lovers. They currently have a 7 month old joey that is just too cute for words. Looking forward to visiting again next year.

[Reply](#)



Trudy Albrecht

★★★★★ 23 weeks ago

What a GREAT place to take visiting grand kids! They loved all the animals - especially the sloths!

Reply




Stacey Woodson

★★★★★ 23 weeks ago

Great Experience! My children and I loved the animal show and feeding the kangaroos!

Reply



Termia TJ Jones  recommends Barn Hill Preserve of Delaware. ...

December 14, 2021 · 

The experience was absolutely priceless. I lucked up had a private tour. Perfect for animal lovers!


 Barn Hill Preserve of Delaware

 Love

 Comment

 Share




Justin Verechia  recommends Barn Hill Preserve of Delaware. ...

November 5, 2021 · 

amazing experience for our family! very friendly and knowledgeable staff. we loved the animals,

 Like

 Comment

 Share



Comment as Barn Hill Preserve of Delaware

