

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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PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: August 11th, 2022

Application: CU 2312 G. Fedale

Applicant: G. Fedale
101 South Mary Street
Wilmington, DE 19804

Owner: Georgetown Holdings, LLC
100 Artisan Drive
Smyrna, DE 19977

Site Location: 24207 & 24217 DuPont Boulevard, Georgetown.

Current Zoning: Agricultural Residential (AR-1) District

Proposed Use: Office and Showroom

Comprehensive Land
Use Plan Reference: Developing Area

Councilmanic
District: Mr. Rieley

School District: Indian River School District

Fire District: Georgetown Fire Co.

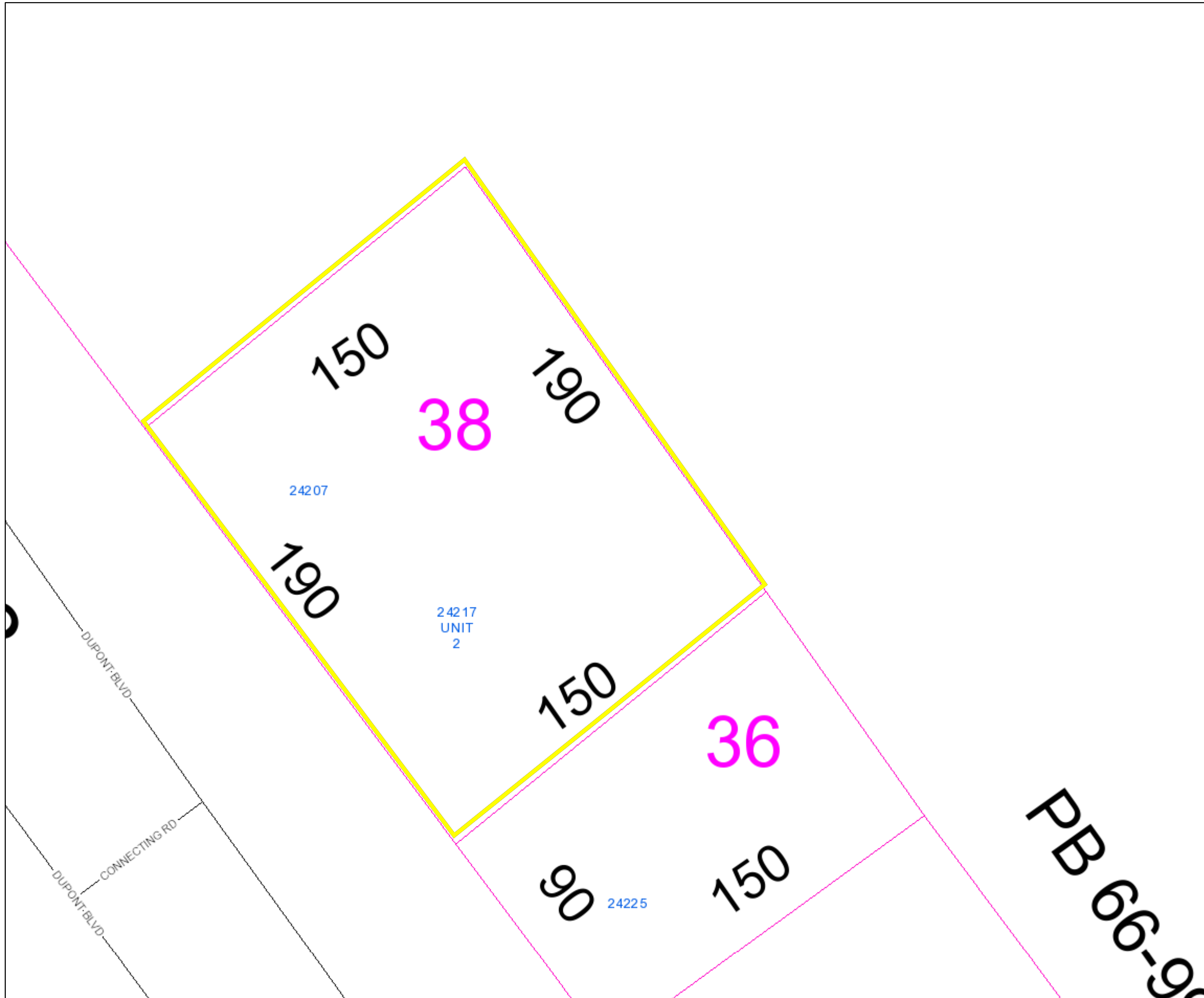
Sewer: On-site Septic

Water: On-site Well

Site Area: 0.65 Ac. +/-

Tax Map ID.: 133-2.00-38.00





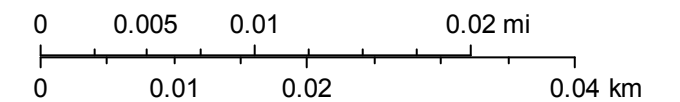
PIN:	133-2.00-38.00
Owner Name	FEDALE GEORGETOWN HOLDINGS LLC
Book	5550
Mailing Address	101 S MARY ST
City	WILMINGTON
State	DE
Description	E/RT 113
Description 2	980' N OF SPEEDWAY
Description 3	RD
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

 - Override 1
- ⋮ Tax Parcels
- 911 Address
- Streets

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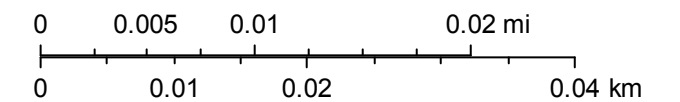




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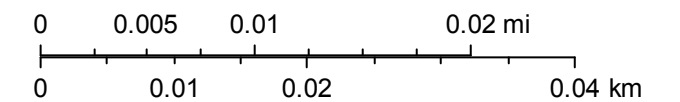




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Memorandum

To: Sussex County Planning Commission Members
From: Mrs. Christin Scott, Planner II
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: August 4, 2022
RE: Staff Analysis for C/U 2312 G. Fedale

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2312 G. Fedale be reviewed during the August 11, 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 133-2.00-38.00 to allow for an office and showroom on an Agricultural Residential (AR-1) zoned parcel of land. The property is located at 24207 and 24217 DuPont Boulevard (Rt. 113) in Georgetown. The property is lying on the northeast side of DuPont Boulevard (Rt. 113), approximately 730 feet northwest of Speedway Road (S.C.R. 325).

Comprehensive Plan Analysis

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 subject property has land use designation of "Developing Area." The properties to the north, east, west, and south also contain the Future land use designation of "Developing Area." Properties further to the south and west contain the Future land use designation of "Low Density Area"

As outlined in the 2018 Sussex County Comprehensive Plan, the primary uses envisioned in the Developing Areas are a range of housing types, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. (Sussex County Comprehensive Plan, 4-14).

Zoning Information

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories", the Agricultural Residential (AR-1) District is listed as an Applicable Zoning District within the "Developing Area." (Sussex County Comprehensive Plan, 4-25).



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

Existing Conditional Uses within the Vicinity of the Subject Site

Since 2011, there have been five (5) Conditional Use applications within a 1.0-mile radius of the Application site.

Case No.	Tax Id No.	Proposed Use	CC Date	CC Decision	Ordinance No.
1901	133-2.00-21.00	Auto repair	9/13/2011	Approved	2216
2039	133-6.00-110.00	Manufacturing & installing auto parts/accessories	4/12/2016	Approved	2441
2097	133-2.00-21.00	Extension of CU 1901	10/24/2017	Approved	2527
2114	133-6.00-123.00	Solar field	2/20/2018	Approved	2549
2113	133-6.00-123.00	Electrical generation and nutrient recovery facility	7/13/2018	Approved	2589

Based on the analysis of the land use, surrounding zoning and uses, a Conditional Use to allow for an office and showroom in this location, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CU 2312
202112756

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

24207 Dupont Blvd, Georgetown DE 19947

Type of Conditional Use Requested:

Accessory building as office and showroom.

Tax Map #: 133-02.00-38.00

Size of Parcel(s): 0.65 Acres

Current Zoning: A2-1

Proposed Zoning: _____

Size of Building: _____

Land Use Classification: _____

Water Provider: Wem

Sewer Provider: Septic

Applicant Information

Applicant Name: G. Fedale

Applicant Address: 101 South Mary St

City: Wilmington

State: Delaware Zip Code: 19804

Phone #: 302-225-7063

E-mail: Matt.Wiley@Gfedale.com

Owner Information

Owner Name: Georgetown Holdings LLC

Owner Address: 100 Artisan Dr

City: Smyrna

State: DE

Zip Code: 19977

Phone #: 302 420 3493

E-mail: ehitch@shore-line.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____

Agent/Attorney/Engineer Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ___ Completed Application
- ___ Provide eight (8) copies of the Site Plan or Survey of the property
 - 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.
- ___ DelDOT Service Level Evaluation Request Response
- ___ PLUS Response Letter (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

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

Signature of Applicant/Agent/Attorney



Date: 7/12/21

Signature of Owner



Date: 7/21/21

For office use only:

Date Submitted: 8/26/21

Staff accepting application: NT

Location of property: _____

Fee: \$500.00 Check #: 31575

Application & Case #: CU 2312 202112756

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____

Sussex County, DE
Treasury
P.O. Box 601
Georgetown, DE 19947
Welcome

33020388-0103 Lindsey S 08/26/2021 01:27PM

PERMITS / INSPECTIONS
CONDITIONAL USE - FEE
2021 Item: 202112756|Z010 500.00

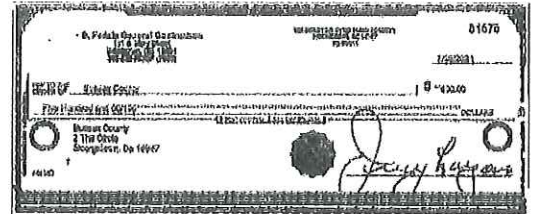
500.00

Subtotal 500.00
Total 500.00

CHECK 500.00
Check Number 031575

Change due 0.00

Paid by: G FEDALE GENERAL CONTRACTORS



Thank you for your payment

Sussex County, DE COPY
DUPLICATE RECEIPT

G. Fedale General Contractors
Sussex County

7/26/2021

31575
500.00

WSFS Bank - Delaware

500.00



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

NIGOLE MAJESKI
SECRETARY

August 17, 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 **G. Fedale Roofing** proposed land use application, which we received on August 4, 2021. This application is for an approximately 0.65-acre parcel (Tax Parcel: 133-2.00-38.00). The subject land is located on US 113 approximately 700 feet north of the intersection with Speedway Road (Sussex Road 325) The subject land is currently zoned AR-1 (Agriculture Residential) with a conditional use approval to operate one of the buildings as an office for a roofing company.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along US 113 from US 9 Truck Road to Hardscrabble Road, is 7,870 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.

The above-mentioned property is adjacent to US Route 113, making it subject to the Department's Corridor Capacity Preservation Program. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. The main goal of the Program is to maintain the capacity of the existing highway by minimizing and consolidating the number of high density, direct access points on the arterial highway. According to the Office



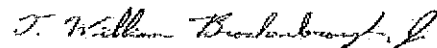
Mr. Jamie Whitehouse
Page 2 of 2
August 17, 2021

of State Planning Coordination's Strategies for State Policies and Spending document, the property is located within a Level 3 Investment Area. In this area, State policies encourage efficient, orderly development and the coordinated phasing of infrastructure investment, consistent with the extent and timing of future growth, and within the limitations of state financial resources. The property owner can develop an access to US Route 113 for a site generating an average of 200 vehicle trips per day or less, as determined by the latest edition of the Institute of Transportation Engineer's Trip Generation Manual. The Corridor Capacity Preservation Program policy can be viewed on the Department's website at www.deldot.gov. The manual is located under the publication link. The US Route 113 North/South study can also be viewed on the Department's website under the projects link.

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.

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: G. Fedale Roofing, Applicant
Elliott Young, Sussex County Planning & Zoning
David Edgell, 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 Andreascavage, 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: **7/18/2022**

APPLICATION: **CU 2312 G. Fedale**

APPLICANT: **G. Fedale**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **133-2.00-38.00**

LOCATION: **24207 & 24217 DuPont Boulevard, Georgetown**

NO. OF UNITS: **Office and Showroom**

GROSS
ACREAGE: **0.65**

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

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes No
- a. If yes, see question (2).
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Municipal Growth & annexation Area**
- (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? **N/A** 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? **N/A**
- (8). Comments: **The proposed Conditional Use is not 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:

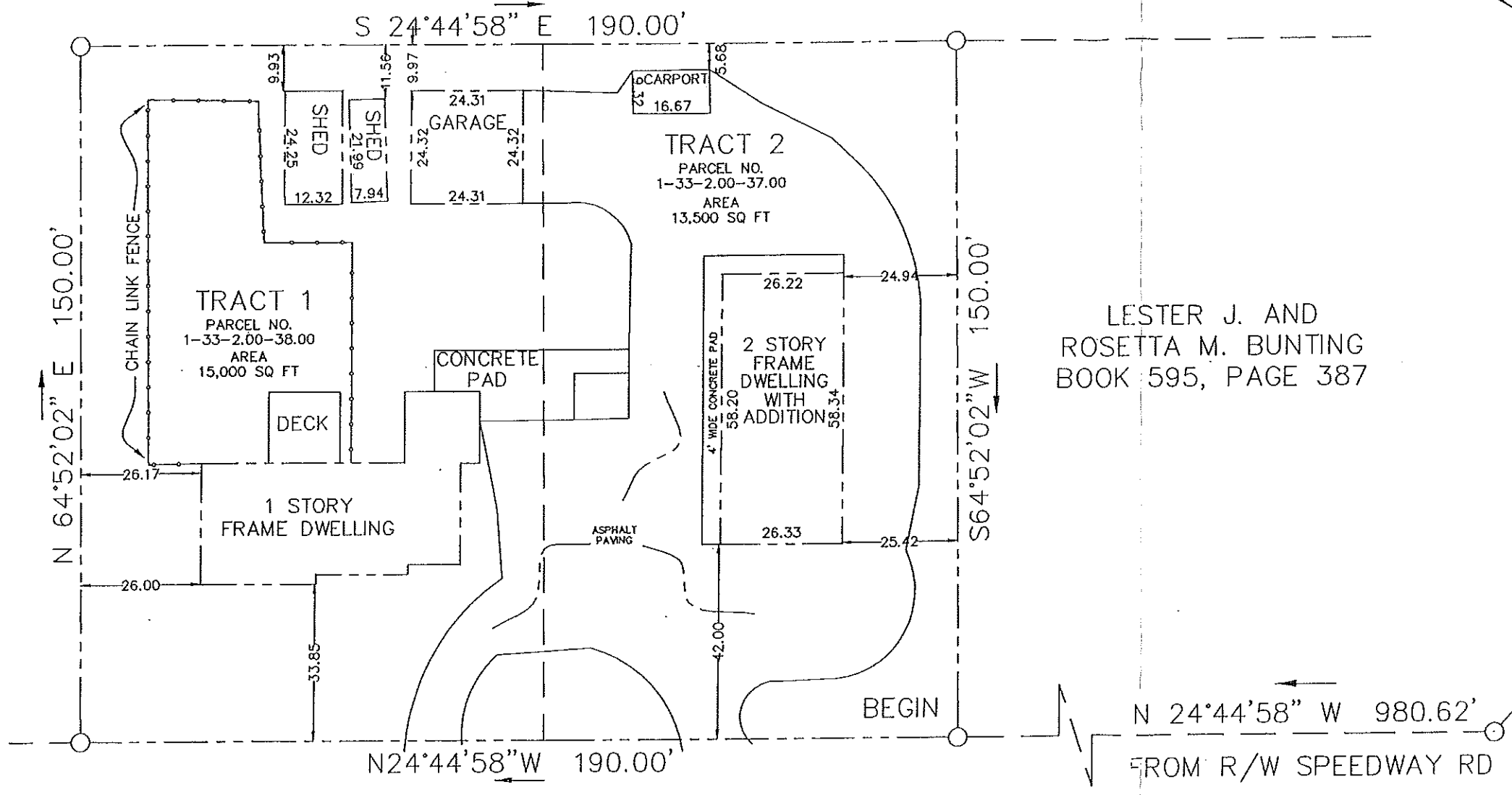
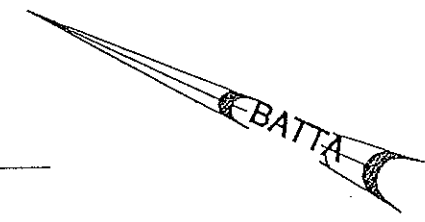


John J. Ashman
Sr. Manager of Utility Planning & Design Review

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

PAF, LLC
BOOK 2263, PAGE 236

APPROVED
AS Combined
7/28/03 SA
SUSSEX COUNTY
PLANNING & ZONING COMMISSION



LESTER J. AND
ROSETTA M. BUNTING
BOOK 595, PAGE 387

MORTGAGE INSPECTION PLAN
PREPARED FOR
SHORELINE ELECTRICAL

SITUATE IN
DAGSBORO HUNDRED
SUSSEX COUNTY
STATE OF DELAWARE
1" = 30' SCALE:
JULY 24, 2003 DATE:

BUILDING RESTRICTION LINES NOTE:
THESE PARCELS ARE NON-CONFORMING
CONTROL FOUND CONSISTED OF:
IRON PIPES FOUND AT
ALL FOUR PROPERTY CORNERS
BEARING SYSTEM BASED ON:
BOOK 2455, PAGE 194

REFERENCES:
BOOK 864, PAGE 238
THIS IS TO COMBINE PARCELS
1-33-2.00-37.00 AND 1-33-2.00-38.00
TOTAL AREA 28,500 SQ FT

LEGEND:

- IRON PIPE FOUND
- ⊙ CALCULATED POINT

DUPONT HIGHWAY AKA 113
(200' R/W)

CURRENT ZONING: AR1 ACCURACY OF PLAN DATA: SUBURBAN

BATTA	RAMESH C. BATTA ASSOCIATES, P.A.		
	CONSULTING ENGINEERS	PLANNERS	LAND SURVEYORS
4600 NEW LINDEN HILL ROAD SUITE 103 BROWNSTONE PLAZA WILMINGTON, DELAWARE 19808 (302) 998-9463 FAX (302) 998-2926		600 NORTH DUPONT HWY SUITE 112 GEORGETOWN PROFESSIONAL PARK GEORGETOWN, DELAWARE 19947 (302) 856-2581 FAX (302) 856-0974	
REFERENCED MICROFILM NUMBER N/A	PROJECT NUMBER 88755G	PLAN NUMBER A-15580	SHEET 1 of 1

Ramesh C. Batta
PROFESSIONAL LAND SURVEYOR

SPECIAL NOTES TO PLAN HOLDER:
1) PROPERTY CORNERS NOT SET UNLESS INDICATED HEREON
2) THIS PLAN IS NOT VALID W/O AN ORIGINAL SIGNATURE IN BLUE INK AND RAISED SEAL BY A PROFESSIONAL LAND SURVEYOR.
3) THE USE OF THIS PLAN FOR OTHER THAN ITS ORIGINAL TITLED PURPOSE IS STRICTLY PROHIBITED.
4) RAMESH C. BATTA ASSOCIATES, P.A. IS NOT RESPONSIBLE FOR MODIFICATIONS TO THIS PLAN WITHOUT ITS WRITTEN APPROVAL.