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DIRECTOR OF PLANNING & ZONING  
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(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: September 8<sup>th</sup>, 2022

Application: CU 2319 Austin & Megan Embleton

Applicant: Austin & Megan Embleton  
11176 Old Reliance Lane  
Greenwood, DE 19950

Owner: The Estate of Merle L. Embleton  
10775 Memory Road  
Harrington, DE 19952

Site Location: 10775 Memory Road, Harrington.

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

Proposed Use: Air B&B, two (2) chair hair salon, small event venue

Comprehensive Land  
Use Plan Reference: Low Density

Councilmanic  
District: Ms. Green

School District: Woodbridge School District

Fire District: Greenwood Fire Department

Sewer: Private Septic

Water: Private Well

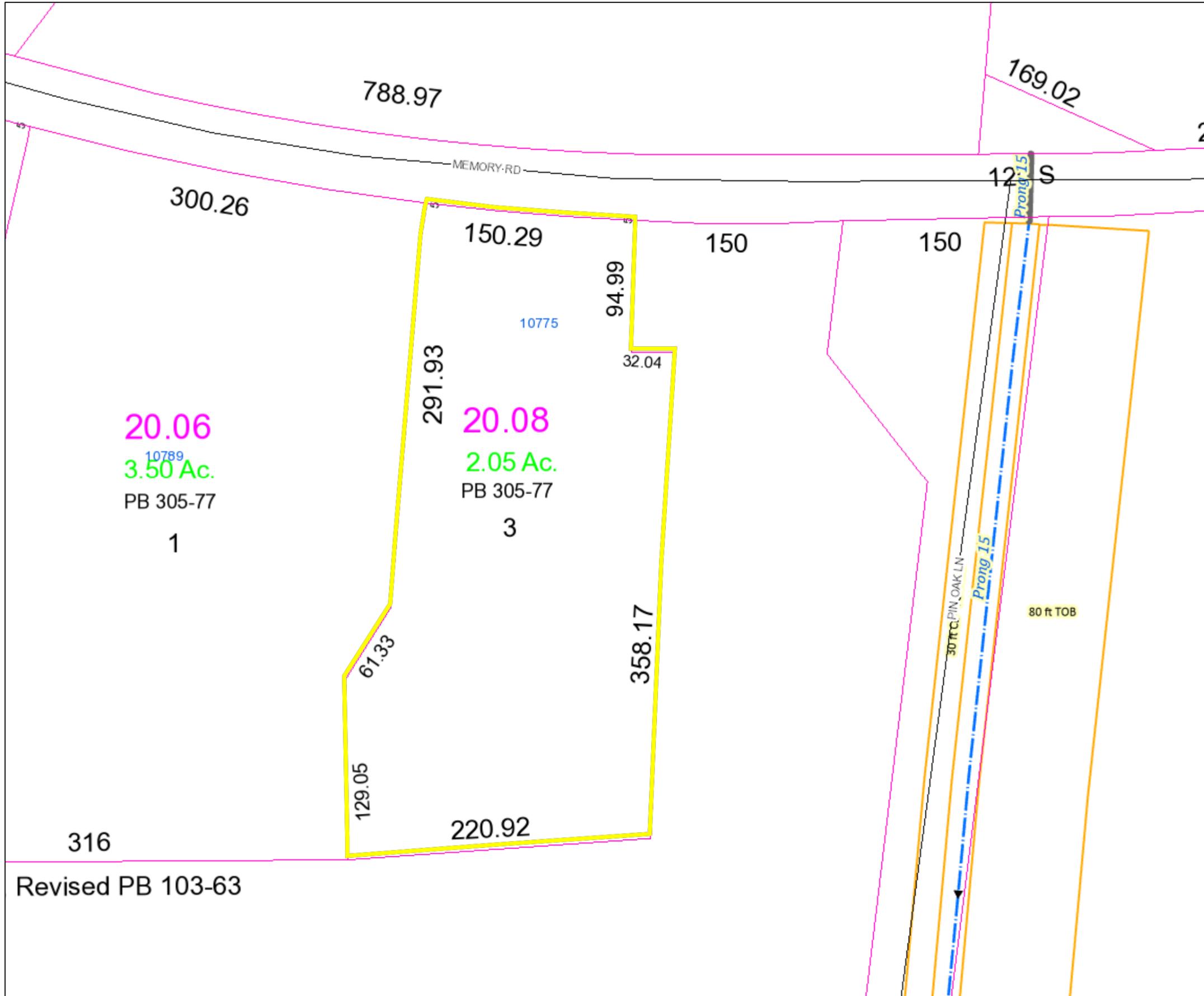
Site Area: 2.05 ac. +/-

Tax Map ID.: 430-3.00-20.08





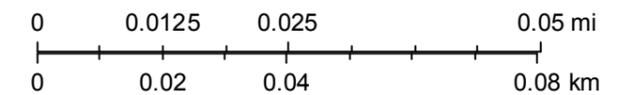
# Sussex County



<b>PIN:</b>	430-3.00-20.08
<b>Owner Name</b>	EMBLETON AUSTIN J
<b>Book</b>	5663
<b>Mailing Address</b>	11176 OLD RELIANCE LN
<b>City</b>	GREENWOOD
<b>State</b>	DE
<b>Description</b>	S/ MEMORY RD
<b>Description 2</b>	W/ PIN OAK LN
<b>Description 3</b>	LOT # 3
<b>Land Code</b>	

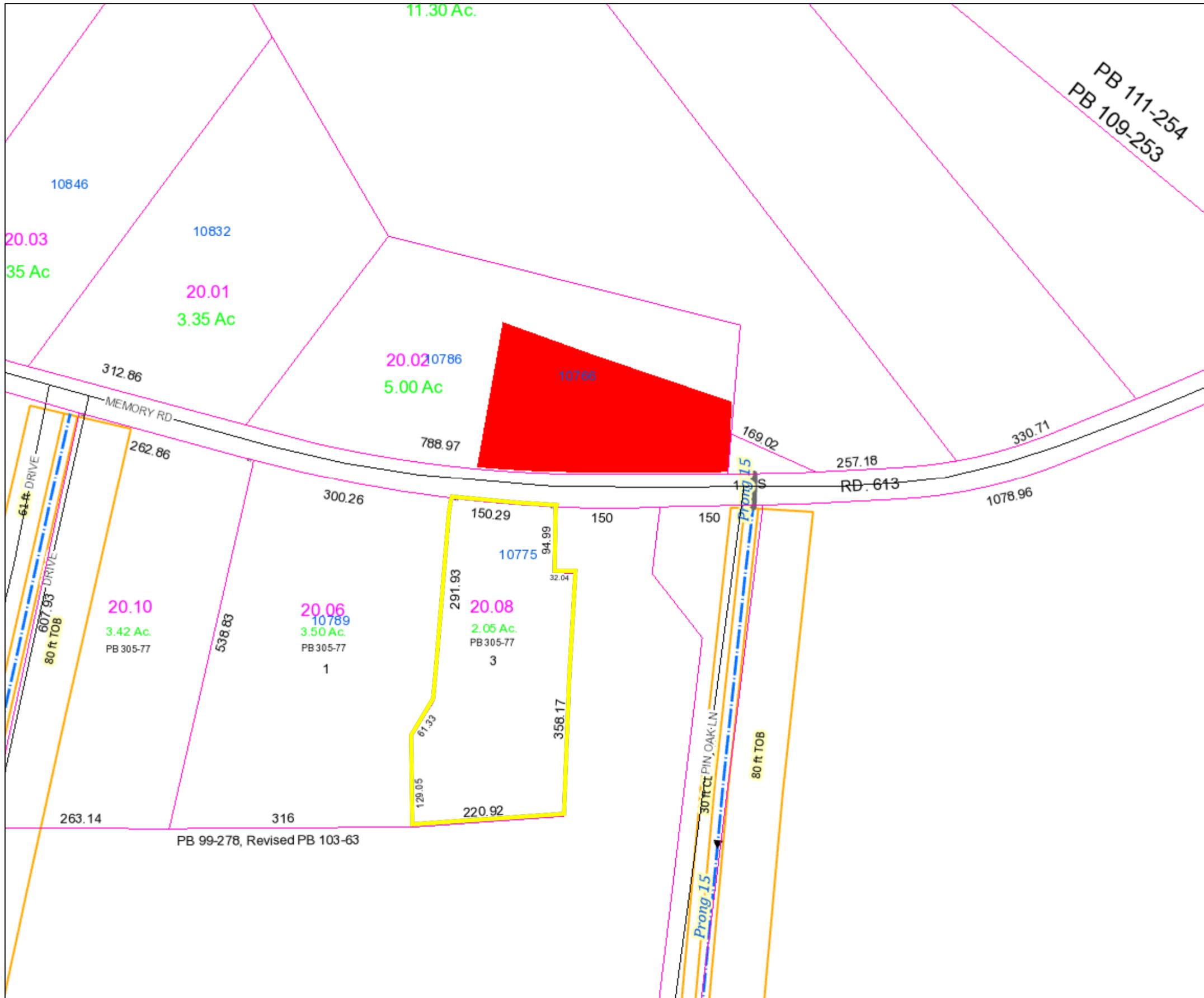
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- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Flood Zones 2018**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- OPEN WATER
- VE

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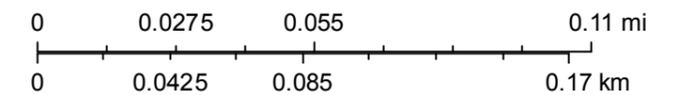
# Sussex County



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- Tax Parcels
- 911 Address
- Streets

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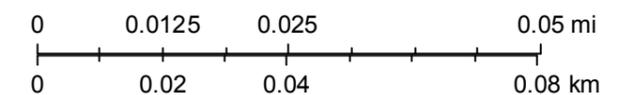




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1:1,128



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## Memorandum

To: Sussex County Planning and Zoning Commission Members  
From: Mrs. Christin Scott, Planner II  
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant  
Date: September 1<sup>st</sup>, 2022  
RE: Staff Analysis for CU 2319 Austin & Megan Embleton

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2319 Austin & Megan Embleton to be reviewed during the September 8<sup>th</sup>, 2022, Planning and Zoning 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: 430-3.00-20.08 to allow for a tourist home, event venue and hair salon, to be located on Memory Road, Harrington, Delaware. The property is lying on the south side of Memory Road (S.C.R. 613), approximately 0.41 mile southeast of Shawnee Road (Rt. 36). The parcel consists of 2.05 acres +/-.

### 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 parcel has a designation of "Low Density". The adjoining parcels to the south, east, and west also have a Future Land Use Map designation of "Low Density". The parcels to the north across Memory Road (S.C.R. 613) also have a Future Land Use Map designation of "Low Density", with the exception of one parcel directly across the street with a Future Land Use Map designation of "Commercial".

As outlined in the 2018 Sussex County Comprehensive Plan, the primary uses envisioned in Low Density Areas are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size, and hours of operation. More intense commercial uses should be avoided in these areas. Institutional and commercial uses may be appropriate depending on surrounding uses (Sussex County Comprehensive Plan, 4-19).

### Zoning Information

The subject property is zoned Agricultural Residential (AR-1) District. The adjacent properties to the south, east, and west of the subject property are zoned Agricultural Residential (AR-1) District. The parcels to the north across Memory Road (S.C.R. 613) of the subject property are zoned



Agricultural Residential (AR-1), with the exception of one parcel directly across the street that is zoned General Commercial (C-1).

Existing Conditional Uses within the Vicinity of the Subject Property

Since 2011, there have been zero (0) Conditional Use applications within a one (1) mile radius of the application site.

Based on the analysis provided, the Conditional use to allow for a tourist home, event venue and hair salon in this location could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

202115377

# 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**

10775 Memory RD, Harrington, DE 19952

**Type of Conditional Use Requested:**

Farmhouse - Air B&B, Shop - 2 chair Hair salon, Small Event Venue

Tax Map #: 430-3.00-20.08 Size of Parcel(s): 2.05 A.

Current Zoning: R Proposed Zoning: C Size of Building: 60x60

Land Use Classification: AR-1

Water Provider: Well Sewer Provider: Septic on site

**Applicant Information**

Applicant Name: Austin & Megan Embleton

Applicant Address: 11176 Old Reliance Ln

City: Greenwood State: DE Zip Code: 19950

Phone #: 302-242-1320 E-mail: MDsembleton@gmail.com

Austineembleton@gmail.com

**Owner Information**

Owner Name: The Estate of Merle L. Embleton / Executors Christine Weaber  
Sydney Hamilton  
George Smith

Owner Address: 10775 Memory Rd.

City: Harrington State: DE Zip Code: 19952

Phone #: (302) 542-9979 E-mail: Sydhamilton79@gmail.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
  - 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

Megan Eubank Date: 10/19/21

Signature of Owner

Sydney A Hamilton 9/27/21  
[Signature] 10/05/2021  
 Date: \_\_\_\_\_

Christine L. Weaker 10/5/21

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: \_\_\_\_\_

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

33020820-0003 Dina M. 10/19/2021 04:24PM

PERMITS / INSPECTIONS  
CONDITIONAL USE - FEE  
2021 Item: 20211537712010 500.00

500.00

Subtotal 500.00  
Total 500.00

CHECK 500.00  
Check Number 2142

Change due 0.00

Paid by: AUSTIN/MEGAN EMBLETON

2142  
10/19/21

For the Sussex County Planning & Zoning ... \$ 500.<sup>00</sup>  
Five hundred & no/100

PNC BANK  
for Applicant fee

Megan Emberton

Thank you for your payment.

Sussex County, DE COPY  
DUPLICATE RECEIPT



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

NICOLE 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 **Austin and Megan Embleton** proposed land use application, which we received on August 5, 2021. This application is for an approximately 2.05-acre parcel (Tax Parcel: 430-3.00-20.08). The subject land is located on the south side of Memory Road (Sussex Road 613) about 300 feet west of the intersection with Pin Oak Lane. The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant is seeking a conditional use approval to operate a salon, air B&B and event venue.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Memory Road from Shawnee Road (State Route 36) to Shawnee Road, is 190 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  
August 17, 2021

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 Furrato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Austin and Megan Embleton, 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 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 Furrato, 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: **8/24/2022**

APPLICATION: **CU 2319 Austin & Megan Embleton**

APPLICANT: **Austin & Megan Embleton**

FILE NO: **WSPA-5.02**

TAX MAP &  
PARCEL(S): **430-3.00-20.08**

LOCATION: **10775 Memory Road, Harrington**

NO. OF UNITS: **Air B&B, 2 chair salon, small event venue**

GROSS  
ACREAGE: **2.05**

RECEIVED

AUG 29 2022

SUSSEX COUNTY  
PLANNING & ZONING

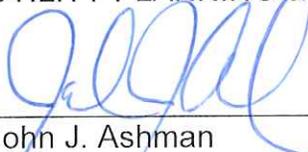
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: 2

**SEWER:**

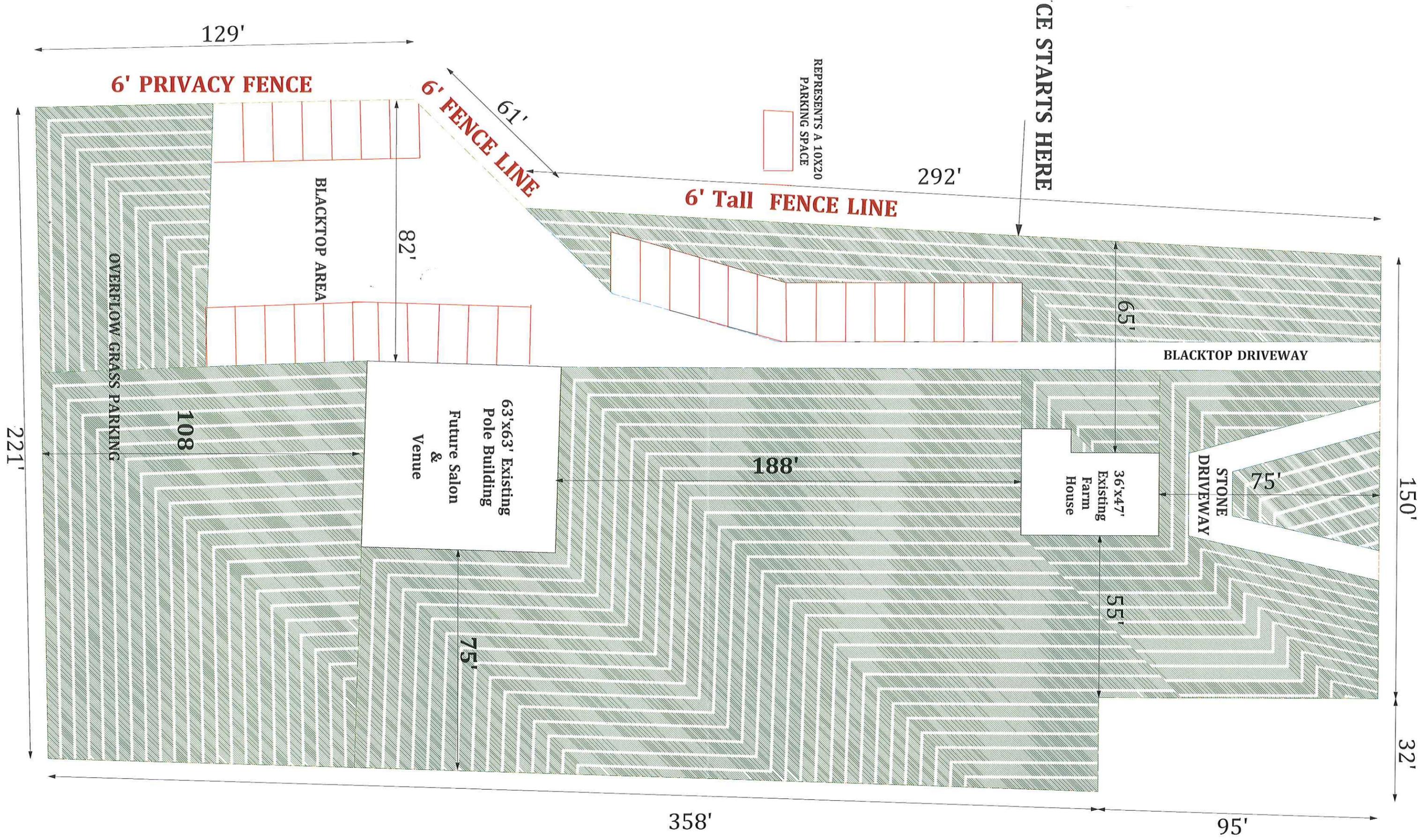
- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 4**
- (3). Is wastewater capacity available for the project? **N/A** If not, what 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 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



September 26, 2021

To Whom It May Concern:

I am writing to you on behalf of Mr. & Mrs. Austin and Megan Embleton's request to have their land on Memory Road zoned for conditional use. I am a resident on Memory Road, just a few houses down from the property that they are purchasing. I am aware that they have the desire to make that property (farmhouse and shop) into a small and intimate 2-chair salon, a small wedding venue, and an Airbnb, and I am in full support of their vision and end goal. I love that they are bringing new life to an old farmhouse and a big, empty shop.

When I think about this big goal and beautiful vision, I can't think of two other people better suited for this job. Megan and Austin are family-oriented, hardworking, passionate, talented people. They are respectful and recognize the value and history of the property. They are neat and clean, and honestly, everything they touch, is made beautiful. I am so excited to see what they can do to an old house and plain shop!

Please feel free to contact me at (302) 542-9980 for any more questions that you may have and feel like I could answer.

Sincerely,

*Chelsea Steinsdoerfer*  
12808 Memory Road  
Harrington, DE 19952

September 25, 2021  
Letter of Support

To whom it may concern:

My husband and I live on Memory Road and we are also relatives of Austin and Megan Embleton. In some cases having family close by could be an annoyance, but that is quite the opposite when it comes to Austin and Megan. They are kind, neat, hardworking, and respectable people who will operate their land in the same likeness!

My husband and I fully support Megan and Austin's plans for having the shop zoned conditional use. Having a small business as well as a small, intimate venue right down the road from us is exciting! Please feel free to contact me, Meghan, with any further questions (302)542-3302.

Thank you!

Meghan and Jacob Landis  
10833 Memory Road  
Harrington, DE 19952

Sydney Hamilton  
12808 Pin Oak Lane  
Harrington, DE 19952

September 26, 2021

RE: Conditional Use Permit for Austin & Megan Embleton

To Whom It May Concern:

I am a property owner adjacent to the Embleton's property at 10775 Memory Road in Harrington, Delaware. I have been made aware of their plans for a small hair salon, venue and eventually a bed and breakfast.

I have known Austin and Megan for a long time and feel confident that their endeavors will be well-done and tasteful. It is my opinion that whatever they do with the property will only add value to the neighboring area.

Sincerely,

*Sydney Hamilton*