

PLANNING & ZONING COMMISSION

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Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: October 13th, 2022

Application: C/U 2323 Leslye Brossus

Applicant: Ms. Leslye A. Brossus
31631 Reading Street
Millville, DE 19970

Owner: Ms. Leslye A. Brossus
31631 Reading Street
Millville, DE 19970

Site Location: 31631 Reading Street, Millville. The property is lying on the south side of Reading Street, approximately 0.14 mile south of Old Mill Road (Route 349) and is Lot 45 within the Banks Acres Subdivision.

Current Zoning: General Residential (GR) District

Proposed Use: Treehouse & Yurt for Short Term Rentals

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Millville Fire Department

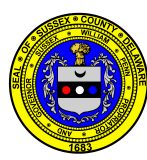
Sewer: Sussex County

Water: Private (Well)

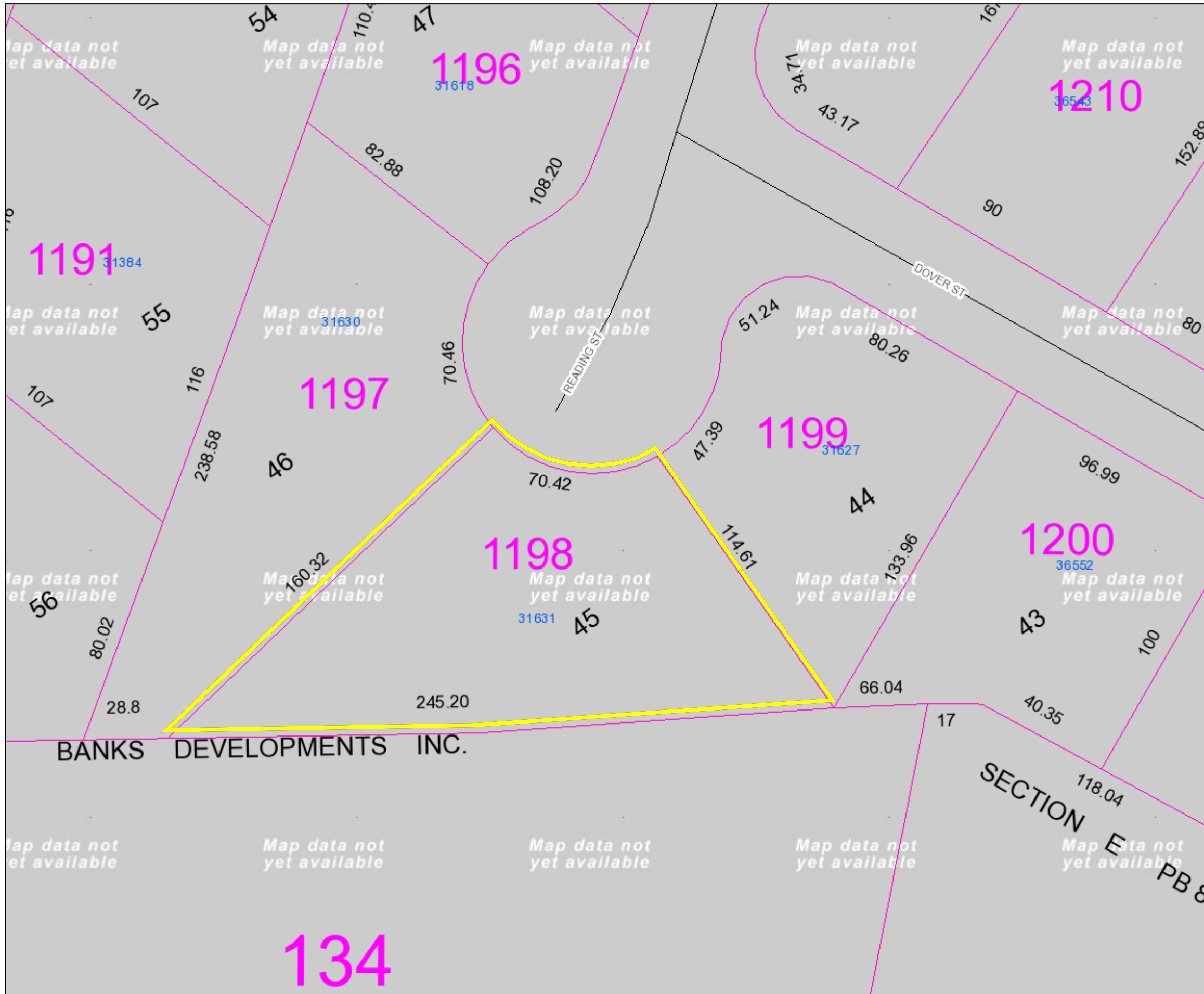
Site Area: 0.26 acres +/-

Tax Map ID: 134-12.00-1198.00





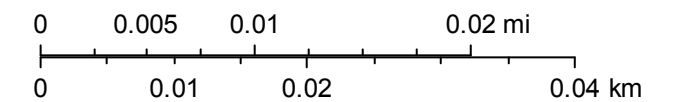
Sussex County

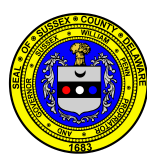


PIN:	134-12.00-1198.00
Owner Name	BROSSUS LESLYE A
Book	2635
Mailing Address	31631 READING ST BANKS
City	MILLVILLE
State	DE
Description	BANKS ACRES
Description 2	LOT 45
Description 3	T#22032
Land Code	

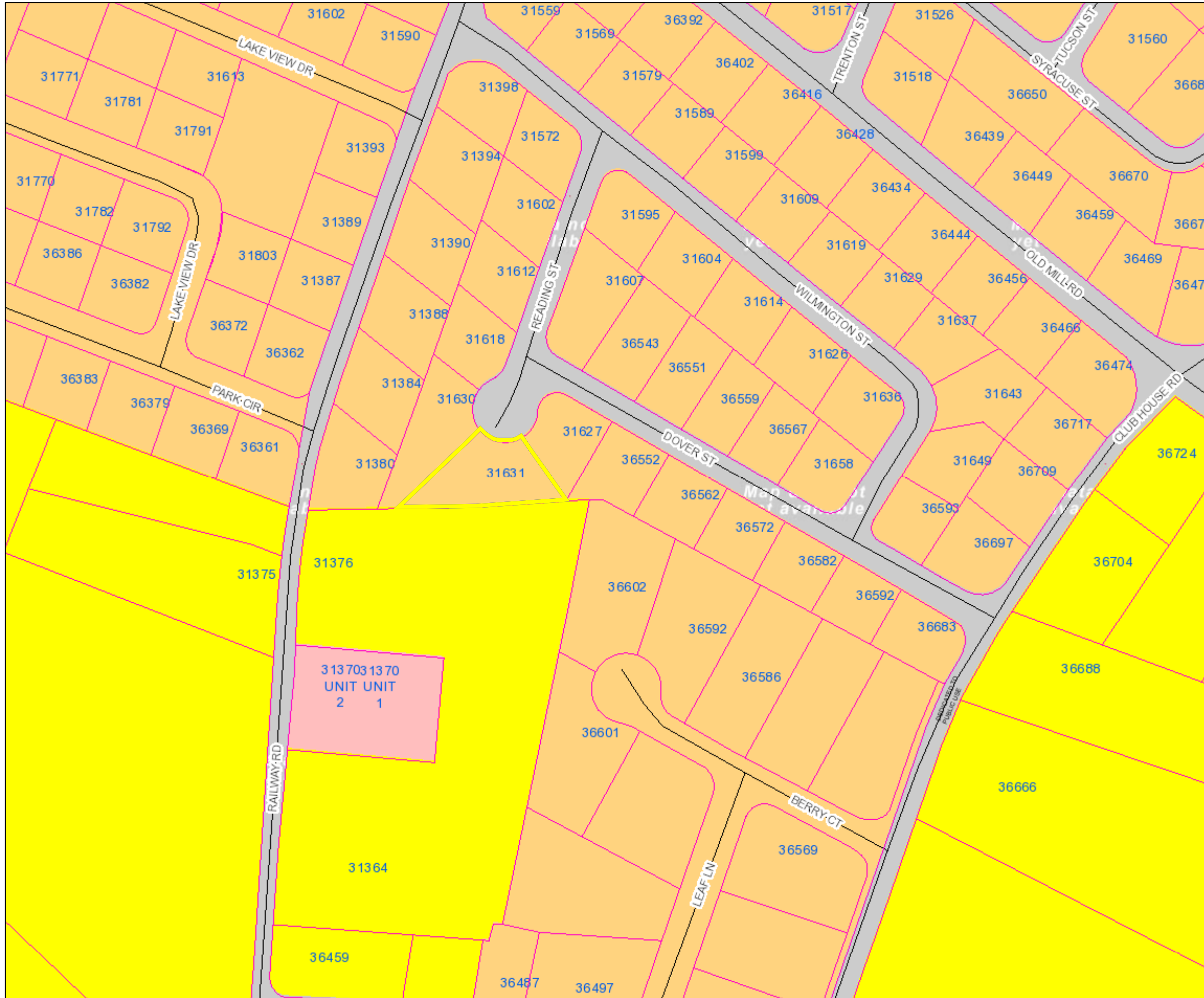
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Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

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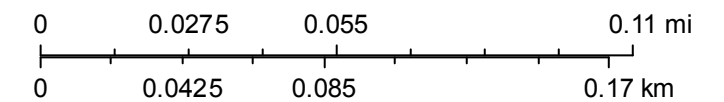
Sussex County



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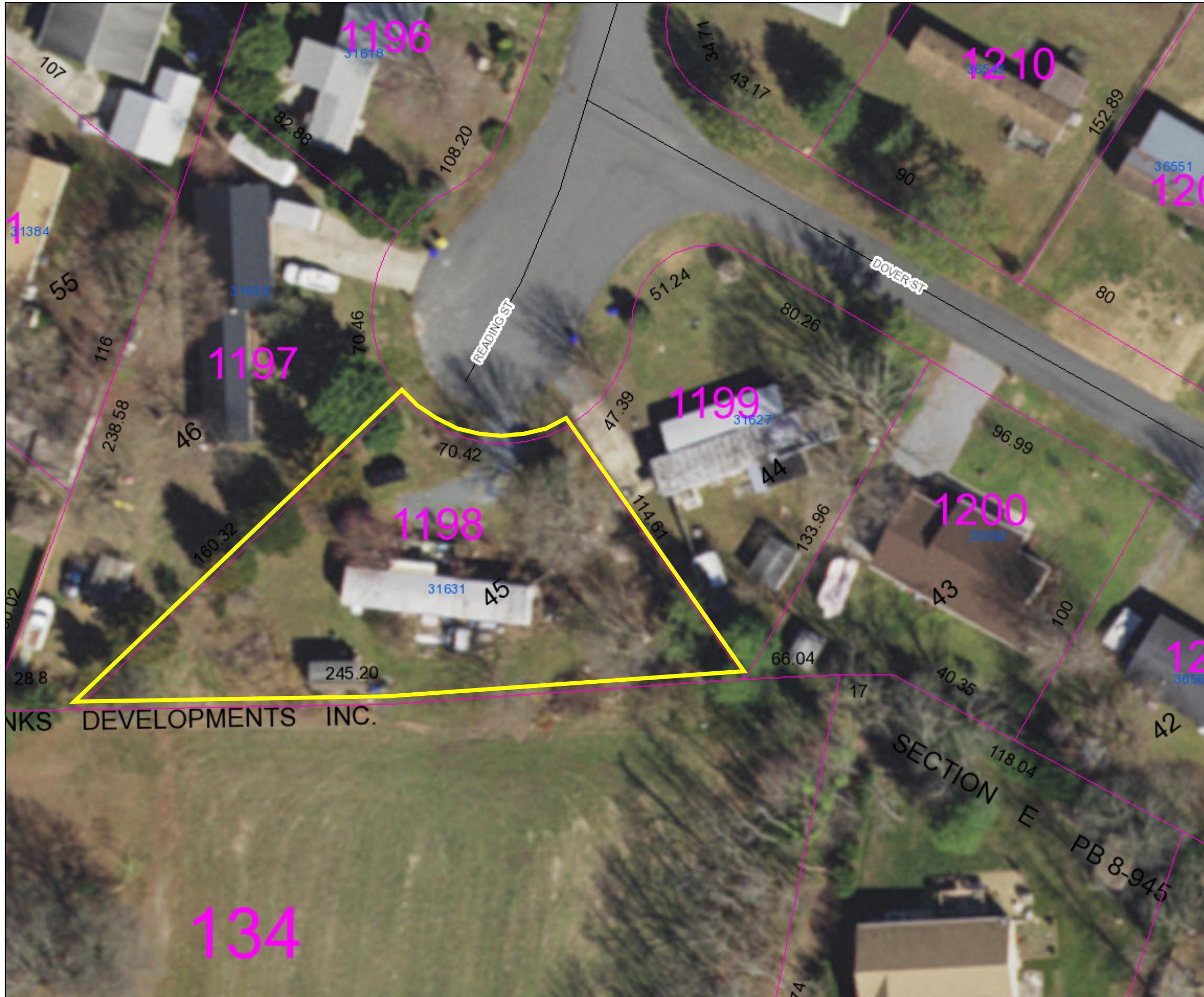
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- 911 Address
- Streets

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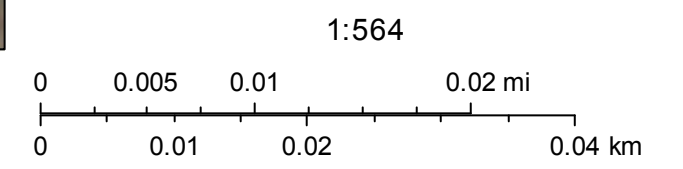


Sussex County



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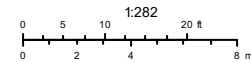
- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- ⋮ Tax Parcels
- 911 Address
- Streets
- County Boundaries





Delaware Flood Planning Tool

Location is **NOT WITHIN** the FEMA 100-year floodplain.



August 25, 2022

Effective Flood Hazard Areas

- A
- AE
- AE, FLOODWAY
- AO
- VE
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- Base Flood Elevation
- LiMWA
- Cross Sections
- Transect

Preliminary Flood Hazard

- A
 - AE
 - AE, FLOODWAY
 - X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- Contours**
- INDEX
 - DEPRESSION
 - HIDDEN
 - INTERVAL

Flood Zone (at Point): X

FEMA Issued Flood Map: 10005C0511K

Map Date: 3/16/2015

Subwatershed (HUC12): White Creek-Indian River Bay

Tax Parcel: 134-12.00-1198.00

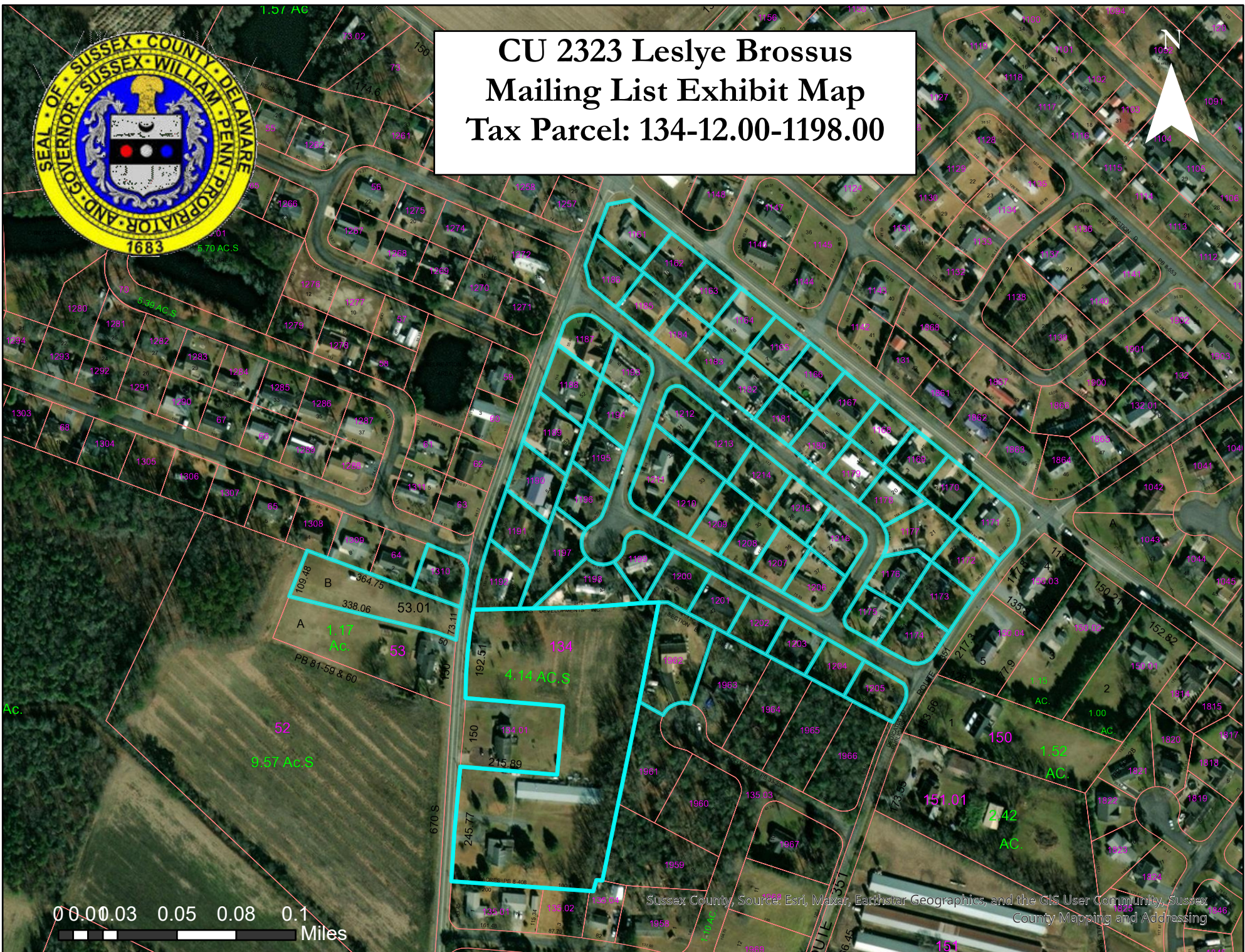
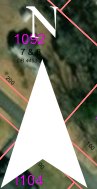
Address (estimated): 31631 READING ST
MILLVILLE, DE 19967

Owner Name	Second Owner Name	Mailing Address	City	State	Zipcode	PIN
BOSSE DONALD GEORGE & ANGELIQUE	PRUNELLA BOSSE	11700 STONEWOOD LN	ROCKVILLE	MD	20852	134-12.00-1202.00
HILLERMAN IAN B	JULIE CORLETTA	1200 BRASHEARS ST	ANNAPOLIS	MD	21403	134-12.00-1170.00
BURMAN ROBERT A & LAURA C	<Null>	1335 HEAPS RD	WHITEFORD	MD	21160	134-12.00-1209.00
FINKELSTEIN ARVIL D MARY C	<Null>	4224 NECKER AVE	BALTIMORE	MD	21236	134-12.00-1214.00
GREER STEVEN H	CATHERINE A GREER	36562 DOVER ST	OCEAN VIEW	DE	19970	134-12.00-1201.00
ZUKAS MICHAEL	<Null>	PO BOX 880	BETHANY BEACH	DE	19930	134-12.00-1163.00
OWENS MARY E	OWENS MICHAEL B	3603 LOWELL PLACE	WHEATON	MD	20902	134-12.00-1190.00
WAGUS EDWARD O GAIL A WAGUS	<Null>	8 QUARTS GARTH	MIDDLE RIVER	MD	21220	134-12.00-1211.00
BROSSUS LESLYE A	<Null>	31631 READING ST # BANKS	MILLVILLE	DE	19970	134-12.00-1199.00
MULLIN JAMES F	JANET L MULLIN	PO BOX 35	OCEAN VIEW	DE	19970	134-12.00-1169.00
SEALS LETHA	<Null>	36416 OLD MILL RD	OCEAN VIEW	DE	19970	134-12.00-1165.00
FONZI DAVID L & JANET A	FITZGERALD	492 BRIDGE VALLEY RD	PEQUEA	PA	17565	134-12.00-1210.00
CESARINI ELVESIA	<Null>	3421 BROOKWOOD DR	FAIRFAX	VA	22030	134-12.00-1168.00
WEST RICHARD K	<Null>	31579 WILMINGTON ST	OCEAN VIEW	DE	19970	134-12.00-1184.00
BALDO C DAVID	<Null>	30429 HUNTER CT	MILLVILLE	DE	19967	134-12.00-1171.00
PECK GLEN D	<Null>	31612 READING ST	MILLVILLE	DE	19970	134-12.00-1195.00
SCHWARZKOPF PATRICIA	ROBERT SCHWARZKOPF	118 HOLLYWOOD DR	OCEAN VIEW	DE	19970	134-12.00-1162.00
HEITE EDWARD C	<Null>	36683 CLUB HOUSE RD	OCEAN VIEW	DE	19970	134-12.00-1205.00
HUTCHINS LARRY	<Null>	36582 DOVER ST	OCEAN VIEW	DE	19970	134-12.00-1203.00
KITTRIDGE MICHAEL P	<Null>	2117 ROBERTSON RD	BEL AIR	MD	21015	134-12.00-1216.00
RAUBAUGH JUDITH A	<Null>	31390 RAILWAY RD	MILLVILLE	DE	19970	134-12.00-1189.00
ROBINSON EDWARD	DIANE ROBINSON	36428 OLD MILL RD	OCEAN VIEW	DE	19970	134-12.00-1166.00
STEELE JAMES F DOROTHY L	<Null>	36593 DOVER STREET	OCEAN VIEW	DE	19970	134-12.00-1175.00
HENISE WANDA J	<Null>	31643 WILMINGTON ST	OCEAN VIEW	DE	19970	134-12.00-1177.00
RUSSELL JOSEPH ALBERT III	DANIELLE MARIE HINCHEY	2411 EVANS DR	SILVER SPRING	MD	20902	134-12.00-53.01
PEMBERTON NORMAN C	<Null>	PO BOX 239	MILLVILLE	DE	19970	134-12.00-1193.00
DEVER JOHN	WILLIAM DEVER	407 DARE RD	YORKTOWN	VA	23692	134-12.00-1173.00
QUILLIN JENNINGS B II	TAYLOR M QUILLIN	31649 WILMINGTON ST	OCEAN VIEW	DE	19970	134-12.00-1176.00
HUDSON BARRY I	<Null>	718 GOLDEN BEACH BLVD #6	VENICE	FL	34285	134-12.00-1206.00
DESOUZA ANDRE	<Null>	31619 WILMINGTON ST	OCEAN VIEW	DE	19970	134-12.00-1180.00
GWINN SAMANTHA	DENNIS ALEXANDER GWINN	36567 DOVER ST	OCEAN VIEW	DE	19970	134-12.00-1207.00
BALASUS JOSEPH E	AMY S BALASUS	203 CAVASBACK CT	DAGSBORO	DE	19939	134-12.00-1213.00
BROSSUS LESLYE A	<Null>	31631 READING ST BANKS AC	MILLVILLE	DE	19970	134-12.00-1198.00
GENTILE ANTOINETTE MARIE	C/O SUZANNE C FLOEGEL	412 WATERS WATCH MD	BALTIMORE	MD	21220	134-12.00-1204.00
MULLINS EUGENE JR	<Null>	34112 DUPONT BLVD	FRANKFORD	DE	19945	134-12.00-1197.00
MEARS BRUCE	GARY E MURRAY	34490 GORDON DR	FRANKFORD	DE	19945	134-12.00-134.00
MUSHLIT LAWRENCE P & JOANNE M	MUSHLIT	70 WORRELL DR	SPRINGFIELD	PA	19064	134-12.00-1167.00
OJEDA NELSON	RILYN COLON MARILYN COLON O.	42 OVERHILL RD	COATESVILLE	PA	19320	134-12.00-1185.00
SLAVINSKI FRANCIS E & NANCY S	<Null>	7029 LONG VIEW RD	COLUMBIA	MD	21044	134-12.00-1192.00
MAJEROWICZ WALTER W & ELIZABETH M	<Null>	327 W FORREST AVE	SHREWSBURY	PA	17361	134-12.00-1200.00

UTTENREITHER DONALD F JR & KAREN LYNNE	UTTENREITHER	202 ASHWOOD RD	BALTIMORE	MD	21222	134-12.00-1310.00
RADUSZEWSKI FRANK E CLAUDIA C	RADUSZEWSKI	36602 BERRY CT	OCEAN VIEW	DE	19970	134-12.00-1962.00
MANCINI MARY ANN & JANICE B	MCGILL	837 AMOSLAND RD	MORTON	PA	19070	134-12.00-1208.00
MCLAUGHLIN JUDITH M	<Null>	1702 ROBBINS PL	WILMINGTON	DE	19805	134-12.00-1178.00
FLUHARTY RALPH JAMES	<Null>	31629 WILMINGTON ST	OCEAN VIEW	DE	19970	134-12.00-1179.00
LEAMAN J ROBERT	LESLIE D LEAMAN	1240 SLATE HILL ROAD	PEACH BOTTOM	PA	17563	134-12.00-1215.00
RAMSEY MICHAEL JAY	DEBRA ANN RAMSEY	11064 MORGAN DR	SHIPPENSBURG	PA	17257	134-12.00-1188.00
WALTMAN DOUGLAS W DAVID B	WALTMAN MICHAEL S	110 GERALD AVE	SHILLINGTON	PA	19607	134-12.00-1186.00
MACQUARRIE HANNAH R	<Null>	31599 WILMINGTON ST	OCEAN VIEW	DE	19970	134-12.00-1182.00
LANNON THOMAS V	<Null>	36402 OLD MILL RD	MILLVILLE	DE	19970	134-12.00-1164.00
SNODGRASS SCARLETT D	<Null>	31609 WILMINGTON ST	MILLVILLE	DE	19970	134-12.00-1181.00
BINDER ABIGAYLE	<Null>	31384 RAILWAY RD	OCEAN VIEW	DE	19970	134-12.00-1191.00
MITCHELL BRITTNEY	<Null>	36372 OLD MILL RD	OCEAN VIEW	DE	19970	134-12.00-1161.00
OWENS MICHAEL BRUCE MARY	ELIZABETH OWENS	3603 LOWELL PL	WHEATON	MD	20902	134-12.00-1196.00
FAIRFAX LINDA S	<Null>	31589 WILMINGTON ST	OCEAN VIEW	DE	19970	134-12.00-1183.00
KERN MARY LOU	<Null>	8416 NUNLEY DR APT C	PARKVILLE	MD	21234	134-12.00-1194.00
MOORE DONNA H	<Null>	31398 RAILWAY RD	OCEAN VIEW	DE	19970	134-12.00-1187.00
GRAHAM WILLIAM M & SHARON L	<Null>	PO BOX 476	MILLVILLE	DE	19970	134-12.00-1212.00
GUIMOND PAUL F	LISA K GUIMOND	36697 CLUB HOUSE RD	OCEAN VIEW	DE	19970	134-12.00-1174.00
CHENOWETH THOMAS M	<Null>	PO BOX 438	OCEAN VIEW	DE	19970	134-12.00-1172.00



**CU 2323 Leslye Brossus
Mailing List Exhibit Map
Tax Parcel: 134-12.00-1198.00**

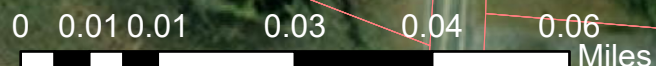




**CU 2323 Leslye Brossus
Location Map
(NOTE: Buffer enclosing 210
feet of Subject Site)**



4.14 AC.S



JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
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jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Ms. Lauren DeVore, AICP, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: September 7, 2022
RE: Staff Analysis for C/U 2323 Leslye Brossus

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2323 Leslye Brossus to be reviewed during the October 13th, 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 134-12.00-1198.00 to allow for a treehouse and yurt structure for the purpose of providing short-term rentals. The property is lying on the south side of Reading Street, approximately 0.14 mile south of Old Mill Road (Route 349) and is Lot 45 within the Banks Acres Subdivision. The property is located approximately 0.17 mile north of the town limits of the Town of Millville. The property consists of 0.26 acres +/-.

Further Site Considerations

Staff note that Building Permits were obtained for a 12-ft x 10-ft lean to, two (2) outdoor restrooms of 3-ft by 8-ft (BP # 160045, which was issued on 6/25/2021,) and a 12-ft x 14-ft treehouse 7 to 8-ft in height with a 8-ft by 12-ft deck (BP #140685, which was issued on 9/17/2020). This information has been included in the Commission's packet this evening.

County records indicate that there are no Tax Ditches or related Tax Ditch Rights-of-Way (ROW) located on the property.

The property is not located within any established Transportation Improvement District (TID).

The property is located within Flood Zone "X" – Areas determined to be outside of the 0.2 Percent Annual Chance Flood Zone.

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 a land use designation of "Coastal Area." All surrounding properties to the north, south, east and west of the subject site contain the Future Land Use Map designation of "Coastal Area."



As outlined in the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that 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 all 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).

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 General Residential (GR) District is listed as an Applicable Zoning District within the “Coastal Area.” (Sussex County Comprehensive Plan, 4-25).

The adjacent parcels to the north, west and east of subject property lying within the Banks Acres Subdivision are zoned General Residential (GR) District. The property immediately to the south of the subject property is zoned Medium Density Residential (MR) District. It should also be noted that a single parcel to the south is zoned Neighborhood Business (B-1) District.

The properties further west on the opposite side of Railway Road (S.C.R./Route 350) within the Banksville Park Subdivision are also zoned General Residential (GR) District. The properties to the south of Banksville Park, also located on the opposite side of Railway Road (S.C.R./Route 350), are zoned Medium Density Residential (MR) District.

Existing Conditional Uses within the Vicinity of the Subject Site

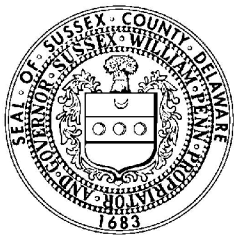
Since 1970, there have been two (2) Conditional Use applications within a 0.30-mile radius of the application site. The first application is for C/U 1148 Great Scott Broadcasting to allow for a radio broadcast tower to be located in an Agricultural Residential (AR-1) District. The Planning and Zoning Commission recommended approval for the use at their meeting of Thursday, February 22, 1996. The Sussex County Council approved the use at their meeting of Tuesday, March 12, 1996, and the change was adopted through Ordinance No. 1081. The second application is for C/U 2206 Linder & Company, Inc. (Evans Farm) to allow 200 multifamily units to be located in an Agricultural Residential (AR-1) District. The Planning and Zoning Commission recommended approval for the use at their meeting of Thursday, April 8, 2021. The Sussex County Council approved the use at their meeting of Tuesday, June 15, 2021, and the change was adopted through Ordinance No. 2776.

A Supplemental Map has been supplied which provides the location of all other Conditional Uses which are greater than 0.30-mile distance from the subject site.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for a treehouse and yurt structure for the purpose of providing short-term rentals, subject to

considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

Conditional Use Applications (w/in a 0.30 mile radius of the subject site)*								
Application Number	Application Name	Current Zoning	Proposed Use	P&Z Decision	P&Z Decision Date	CC Decision	CC Decision Date	Ordinance Number
C/U 1148	Great Scott Broadcasting	AR-1	Radio Broadcast Tower	Recommended Approval	2/22/1996	Approved	3/12/1996	1081
C/U 2206	Linder & Company (Evans Farm)	AR-1	200 Multifamily Units	Recommended Approval	4/8/2021	Approved	6/25/2021	2776



**Sussex County
Building Permit**
P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number
202011427
Issue Date: 09/17/2020
Expire Date: 09/17/2021

Permit Type: ACCESSORY STRUCTURE OUT OF TOWN

Parcel ID	Address	Zone Code
134-12.00-1198.00	31631 READING STREET	GR

Owner Information	Applicant Information
Name: BROSSUS LESLYE A Phone:	Name: BROSSUS LESLYE A Phone:

Contractor Information	
Name: BROSSUS LESLYE A CID: 1011143 Phone:	License Number: License Exp. Date: Insurance Exp. Date:

Building Information
Proposed Use: SHEDS Construction Type: Estimated Cost of Construction: \$ 2,832 Cannot Occupy More than _____ of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: _____

Property Information
Measurements taken from Property Lines Front Setback: 30.00 /30 Side Setback: 5.00 /10/DECK Rear Setback: 5.00 /10/DECK Corner Setback: / Maximum Building Height: 42 Location Description: BANKS ACRES READING ST LOT 45 SEC E T#22032 FLOOD ZONE Flood Zone: XP511K _____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

Project Description: ACC STRUCT<400'

Scope of Work:

12 X 14- 3 SEASON W/8 X 12 DECK EVERYTHING IS 7 OR 8 FT HIGH (TREEHOUSE)

Permit Details:

Signature of Approving Official

Signature of Owner/Contractor

Building Permit Acknowledgement:

I fully understand the Zoning Requirements of this permit.

I/we the undersigned, acknowledge I/we have read and accept the terms of this Building Permit and shall comply with the rules and restrictions related to this building activity. This permit shall expire one (1) year from the date of issue. This permit may be renewed prior to its expiration date if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading or surface-shaping of the site shall not be considered as actual construction. I/we further acknowledge, ASSESSORS AND INSPECTORS HAVE A RIGHT TO ENTER AND ACCESS THE PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to Sussex County Officials' right to enter upon said premises during the construction of which this permit is granted, or within a reasonable time thereafter, for the purposes of assessing and inspecting said property. THE APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCY, WHICH MAY PERTAIN TO THIS SITE. AND FURTHER, IT IS ACKNOWLEDGED AND UNDERSTOOD THAT THIS PERMIT MAY BE REVOKED BY SUSSEX COUNTY FOR ANY VIOLATION OF THE TERMS OF THIS PERMIT OR OF ANY COUNTY, STATE OR FEDERAL LAW APPLICABLE TO THIS PERMIT.

Permit Number	BP-140685	TOTAL FEES:	\$ 20.58
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Building Description

Total Bedrooms:

Heat Type:

Full Baths:

Half Baths:

Roofing:

Total Rooms:

Exterior Walls:

Basement:

Foundation Type:

Interior Walls:

Fireplace Type:

Flooring:

Air Conditioning: N

Additional Requirement/Restrictions

_____ Accessory Building 900 Square Feet or Greater

No more than four (4) vehicles permitted in structure without a Planning & Zoning Hearing.

_____ Agricultural Storage Structures

Storage only. NO LIVESTOCK PERMITTED.

_____ Campgrounds

Must conform to the location approved by the park.

_____ Farm-Use Permits

Prior to issuance of the Certificate of Occupancy, it must be confirmed that the building will be used for farm use only. Otherwise, the permit will be voided and plans must be submitted to the Building Code Department.

_____ Fences

Fence may only be 3.5' tall along the front property line and from the road back to the mandated front yard setback. Thereafter, fence may be a maximum of 7' tall. On corner lots, the fence may only be 3' tall along the corner fronts and 25' from the intersection of property lines. Fence may be installed on property line.

_____ Parcel Setbacks

All building structures and improvements shall comply with the parcel setback measurement requirements as mandated in the Sussex County Zoning Ordinance. Failure to comply with the parcel setback measurement requirements is a violation.

_____ Pools (Above-Ground)

Must have ladder up and locked at all times when not in use. Pool must be 4' high above grade. If not, a fence is required around perimeter of pool

_____ Pools (In-Ground)

A minimum 4' tall fence must be around the perimeter of the pool. A minimum 3' walkway must be between the pool and fence. Gate must be locked at all times when the pool is not in use.

_____ Pools or Guest Homes

No Cooking facilities of any kind are permitted in the structure. No separate electrical meters are permitted.

_____ Tax Ditch

Property records indicate a State regulated tax ditch appears on this property. All building activity shall comply with the rules and requirements related to State regulated tax ditches and the respective tax ditch easements.



**Sussex County
Building Permit**
P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number
202109684
Issue Date: 06/25/2021
Expire Date: 06/25/2022

Permit Type: **ACCESSORY STRUCTURE OUT OF TOWN**

Parcel ID	Address	Zone Code
134-12.00-1198.00	31631 READING STREET	GR

Owner Information	Applicant Information
Name: BROSSUS LESLYE A Phone: 302-228-1512	Name: BROSSUS LESLYE A Phone: 302-228-1512

Contractor Information	
Name: BROSSUS LESLYE A CID: 1011143 Phone:	License Number: License Exp. Date: Insurance Exp. Date:

Building Information
Proposed Use: MISC COST Construction Type: Estimated Cost of Construction: \$ 5,000 Cannot Occupy More than _____ of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: _____

Property Information
Measurements taken from Property Lines Front Setback: <u>30.00</u> / _____ Rear Setback: <u>5.00</u> / _____ Side Setback: <u>5.00</u> / _____ Corner Setback: _____ / _____ Maximum Building Height: _____ Location Description: _____ FLOOD ZONE <u>BANKS ACRES LOT 45 T#22032</u> Flood Zone: _____ _____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

Project Description: ACC STRUCT<400'
Scope of Work:
LEAN TO 12X10 3X8 (2) OUTSIDE RESTROOMS

Permit Details:

[Signature] _____ *[Signature]* Leslye Brossus 302 228 1512
 Signature of Approving Official Signature of Owner/Contractor

Building Permit Acknowledgement:
 I fully understand the Zoning Requirements of this permit.
 I/we the undersigned, acknowledge I/we have read and accept the terms of this Building Permit and shall comply with the rules and restrictions related to this building activity. This permit shall expire one (1) year from the date of issue. This permit may be renewed prior to its expiration date if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading or surface-shaping of the site shall not be considered as actual construction.
 I/we further acknowledge, ASSESSORS AND INSPECTORS HAVE A RIGHT TO ENTER AND ACCESS THE PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to Sussex County Officials' right to enter upon said premises during the construction of which this permit is granted, or within a reasonable time thereafter, for the purposes of assessing and inspecting said property.
 THE APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCY, WHICH MAY PERTAIN TO THIS SITE. AND FURTHER, IT IS ACKNOWLEDGED AND UNDERSTOOD THAT THIS PERMIT MAY BE REVOKED BY SUSSEX COUNTY FOR ANY VIOLATION OF THE TERMS OF THIS PERMIT OR OF ANY COUNTY, STATE OR FEDERAL LAW APPLICABLE TO THIS PERMIT.

Permit Number	BP-160045	TOTAL FEES:	\$ 32.00
----------------------	-----------	--------------------	----------



Building Description

Total Bedrooms:

Full Baths:

Half Baths:

Total Rooms:

Basement:

Interior Walls:

Flooring:

Heat Type:

Roofing:

Exterior Walls:

Foundation Type:

Fireplace Type:

Air Conditioning: N

Additional Requirement/Restrictions

_____ Accessory Building 900 Square Feet or Greater
No more than four (4) vehicles permitted in structure without a Planning & Zoning Hearing.

_____ Agricultural Storage Structures
Storage only. NO LIVESTOCK PERMITTED.

_____ Campgrounds
Must conform to the location approved by the park.

_____ Farm-Use Permits
Prior to issuance of the Certificate of Occupancy, it must be confirmed that the building will be used for farm use only. Otherwise, the permit will be voided and plans must be submitted to the Building Code Department.

_____ Fences
Fence may only be 3.5' tall along the front property line and from the road back to the mandated front yard setback. Thereafter, fence may be a maximum of 7' tall. On corner lots, the fence may only be 3' tall along the corner fronts and 25' from the intersection of property lines. Fence may be installed on property line.

_____ Parcel Setbacks
All building structures and improvements shall comply with the parcel setback measurement requirements as mandated in the Sussex County Zoning Ordinance. Failure to comply with the parcel setback measurement requirements is a violation.

_____ Pools (Above-Ground)
Must have ladder up and locked at all times when not in use. Pool must be 4' high above grade. If not, a fence is required around perimeter of pool

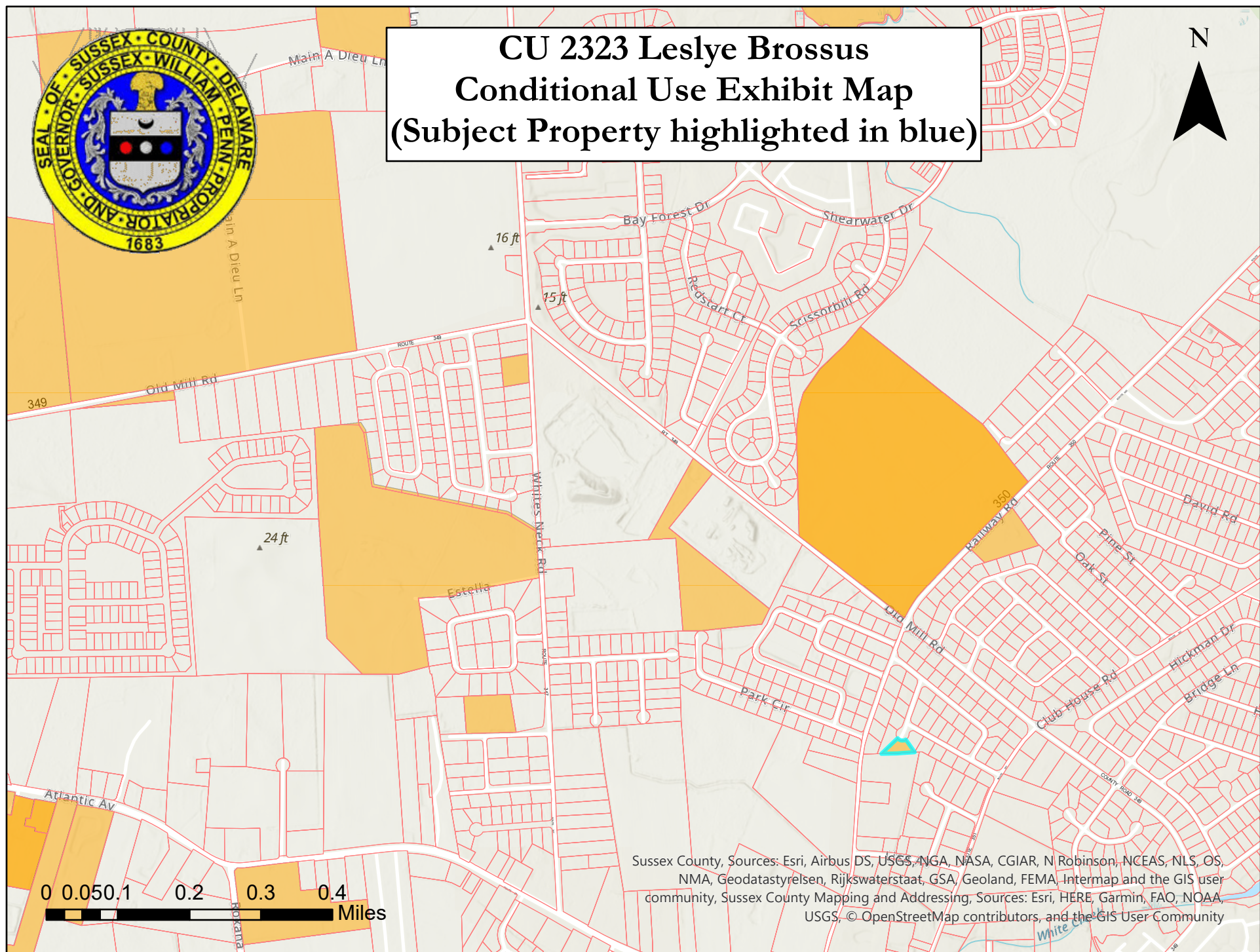
_____ Pools (In-Ground)
A minimum 4' tall fence must be around the perimeter of the pool. A minimum 3' walkway must be between the pool and fence. Gate must be locked at all times when the pool is not in use.

_____ Pools or Guest Homes
No Cooking facilities of any kind are permitted in the structure. No separate electrical meters are permitted.

_____ Tax Ditch
Property records indicate a State regulated tax ditch appears on this property. All building activity shall comply with the rules and requirements related to State regulated tax ditches and the respective tax ditch easements.



**CU 2323 Leslye Brossus
Conditional Use Exhibit Map
(Subject Property highlighted in blue)**



Sussex County, Sources: Esri, Airbus DS, USGS, ANGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sussex County Mapping and Addressing, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

File #: CU 2323
202116761

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

31631 Reading Street, Millville, DE 19970

Type of Conditional Use Requested:

existing tree house & yurt for short term rental

Tax Map #: 134-12-00-1198-00 Size of Parcel(s): 1/3 acre

Current Zoning: GR Proposed Zoning: GR Size of Building: 18x10

Land Use Classification: Residential

Water Provider: well Sewer Provider: Sussex Co.

Applicant Information

Applicant Name: Leslye Brossus
Applicant Address: 31631 Reading St
City: Millville State: DE Zip Code: 19970
Phone #: 302-228-1512 E-mail: leslye.brossus@gmail.com

Owner Information

Owner Name: ^ Same as applicant
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____
Agent/Attorney/Engineer Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

___ Completed Application

___ Provide eight (8) copies of the ^{1 full copy} Site Plan or Survey of the property

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

___ Provide Fee \$500.00

___ Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

___ DeIDOT Service Level Evaluation Request Response

___ PLUS Response Letter (if required)

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

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

Signature of Applicant/Agent/Attorney

Leslye Brossus

Date: Sept 21, 2021

Signature of Owner

Leslye Brossus

Date: Sept 21, 2021

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____

Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

Application Information:

Site Address: 31631 Reading Street Millville, DE 19970

Parcel #: 134-12.00-1198.00

Site Address: _____

Parcel #: _____

Applicant Name: Leslye Brossus

Owner Name: ^ Same

Type of Application:

Conditional Use: _____

Change of Zone: _____

Subdivision: _____

Board of Adjustment: _____

Date Submitted: 9/21/21 11-16-2021

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____

Date letters mailed: _____

List created by: _____

Letters sent by: _____

Planning & Zoning Project Contact List

Applicant Information

Applicant Name: Leslye Brossus
 Applicant Address: 31631 Piccadilly St
 City: Millville State: DE Zip: 19970
 Phone #: 302-228-1512 E-mail: leslyebrossus@gmail.com

Owner Information

Owner Name: Same
 Owner Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ E-mail: _____

Engineer/Surveyor Information

Engineer/Surveyor Name: -
 Engineer/Surveyor Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ E-mail: _____

Agent/Attorney Information

Agent/Attorney Name: -
 Agent/Attorney Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ E-mail: _____

Other

Name: -
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ E-mail: _____



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

33021014-0126 Megan D. 11/16/2021 01:01PM

PERMITS / INSPECTIONS
CONDITIONAL USE - FEE
2021 Item: 202116761|Z010 100.00

100.00

Subtotal 100.00
Total 100.00

CHECK 100.00
Check Number 2539

Change due 0.00

Paid by: LESLYE BROSSUS

LESLYE BROSSUS
SUSSEX COUNTY TREASURY
10-0101

Nov 16, 2021

Sussex Co. Council

One hundred and 00/100 \$ 100.00

LESLYE BROSSUS

appl. cond use

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

June 23, 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 **Leslye Brossus** proposed land use application, which we received on June 11, 2021. This application is for an approximately 0.25-acre parcel (Tax Parcels: 134-12.00-1198.00). The subject land is located at the end of Reading Street in the Banks Acres subdivision near Ocean View. The closest State maintained road is Railway Road (Sussex Road 350), Reading Street connects to the south side of Wilmington Street which then connects to the east side of Railway Road. The subject land is currently zoned GR-1 (General Residential). The applicant seeks a conditional use approval to build a Summer Yurt (a 16-foot round bell tent) and a tree house for short term rental.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Railway Road from Old Mill Road (Sussex Road 349) to Atlantic Avenue (State Route 26) is 1,194.

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

June 23, 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 Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Leslye Brossus, Applicant
Russell Warrington, 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 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: **8/29/2022**

APPLICATION: **CU 2323 Leslye Brossus**

APPLICANT: **Ms. Leslye A. Brossus**

FILE NO: **NM-1.03**

TAX MAP &
PARCEL(S): **134-12.00-1198.00**

LOCATION: **31631 Reading Street, Millville. Lying on the south side of Reading Street, approximately 0.14 mile south of Old Mill Road (SCR 349) and is Lot 45 within the Banks Acres subdivision.**

NO. OF UNITS: **Treehouse and Yurt for Short Term Rentals**

GROSS
ACREAGE: **0.26**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

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 1**
- (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 **Denise Burns** 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? **N/A**
- (8). Comments: **The property is currently served with a 6-inch lateral. The increase in density will require the installation of an 8-inch lateral. Contact Mr. Richard Jackson regarding the requirements for the lateral install. An additional pipeline inspection will be required to ensure that proper means and methods were used when tying in the additional Treehouse and Yurt.**
- (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:

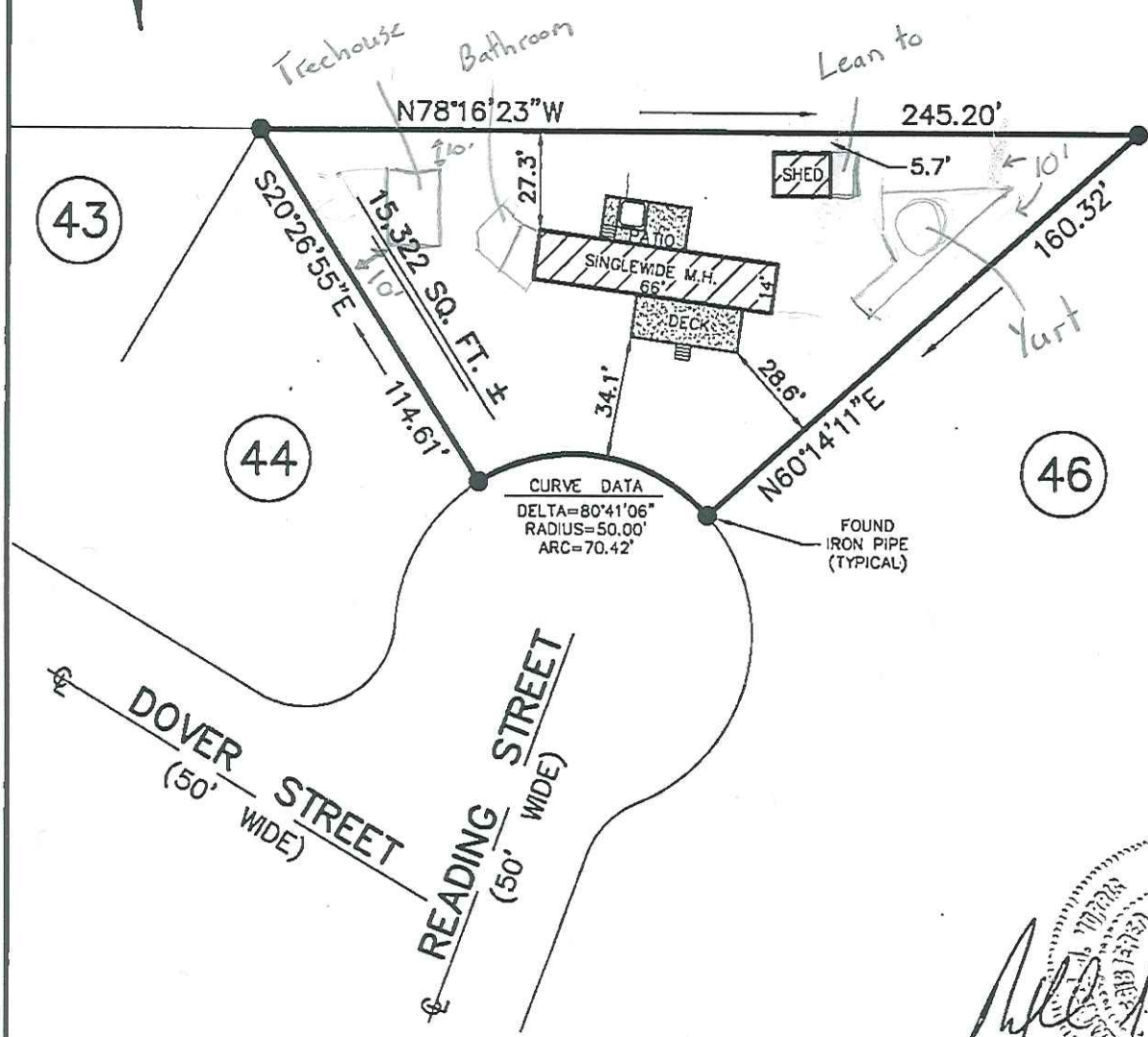


John J. Ashman
Sr. Manager of Utility Planning & Design Review

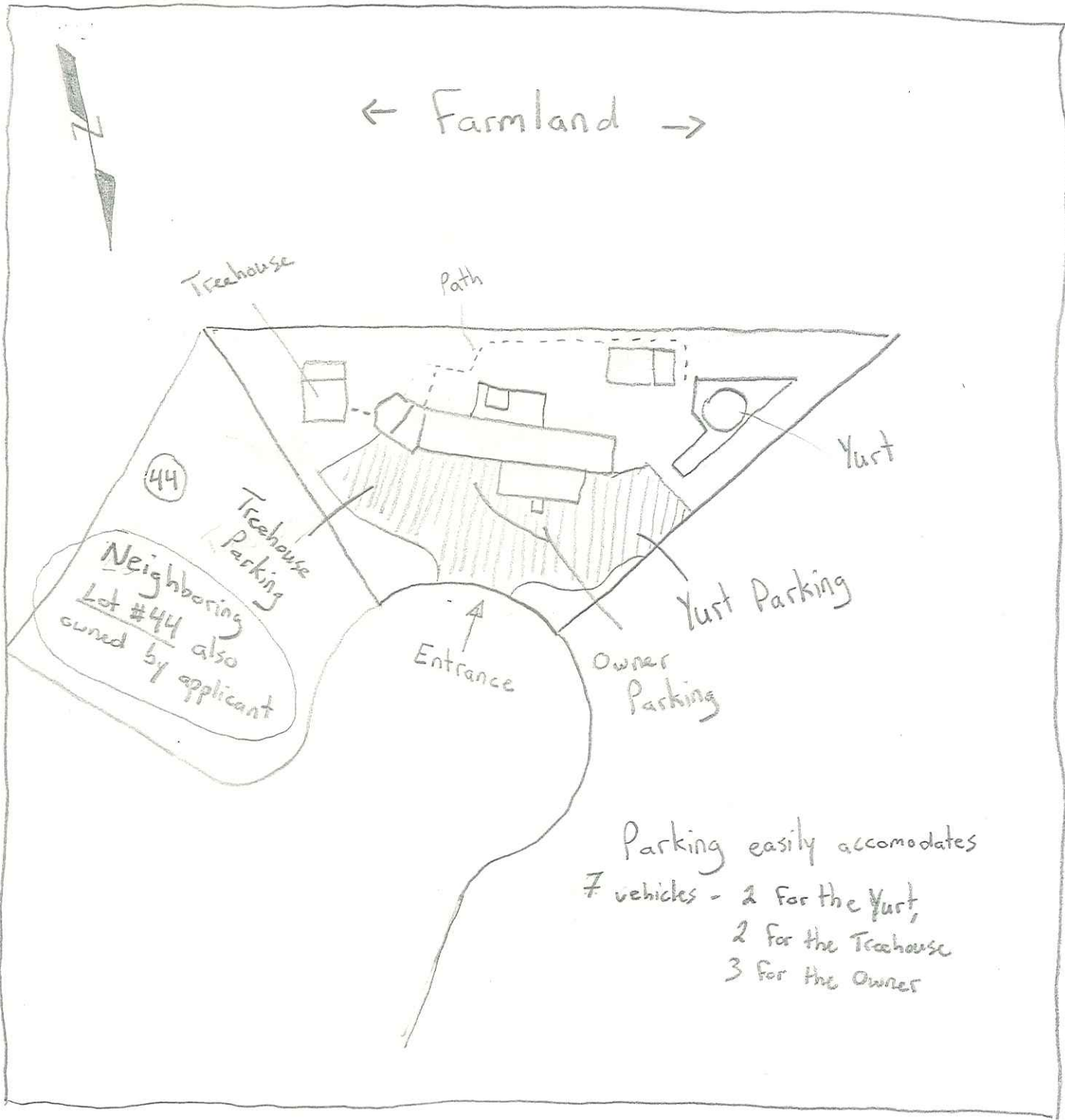
Xc: Hans M. Medlarz, P.E.
Lisa Walls
Denise Burns



LANDS OF:
MARTHA M. MURRAY



DELAWARE SURVEYING SERVICES MAXWELL J. MORRIS, PLS P.O. BOX 1121 MILLVILLE, DE. 19970 (302)537-7094 * FAX (302)537-6534	DATE: DEC. 7, 2005	DEED REF: D.B. 2635, P. 73 PLOT REF: P.B. 15, P. 46 TAX MAP #: 1-34-12.00-1198.00
	SCALE: 1" = 50'	BOUNDARY & LOCATION SURVEY CLASS "B" SURVEY
DESCRIPTION: LOT 45, SECTION 'E', "BANKS DEVELOPMENTS INC." BALTIMORE HUNDRED * SUSSEX COUNTY * DELAWARE	DRAWING #: 05-098	



Parking easily accomodates
7 vehicles - 2 For the Yurt,
2 For the Teehouse
3 For the Owner

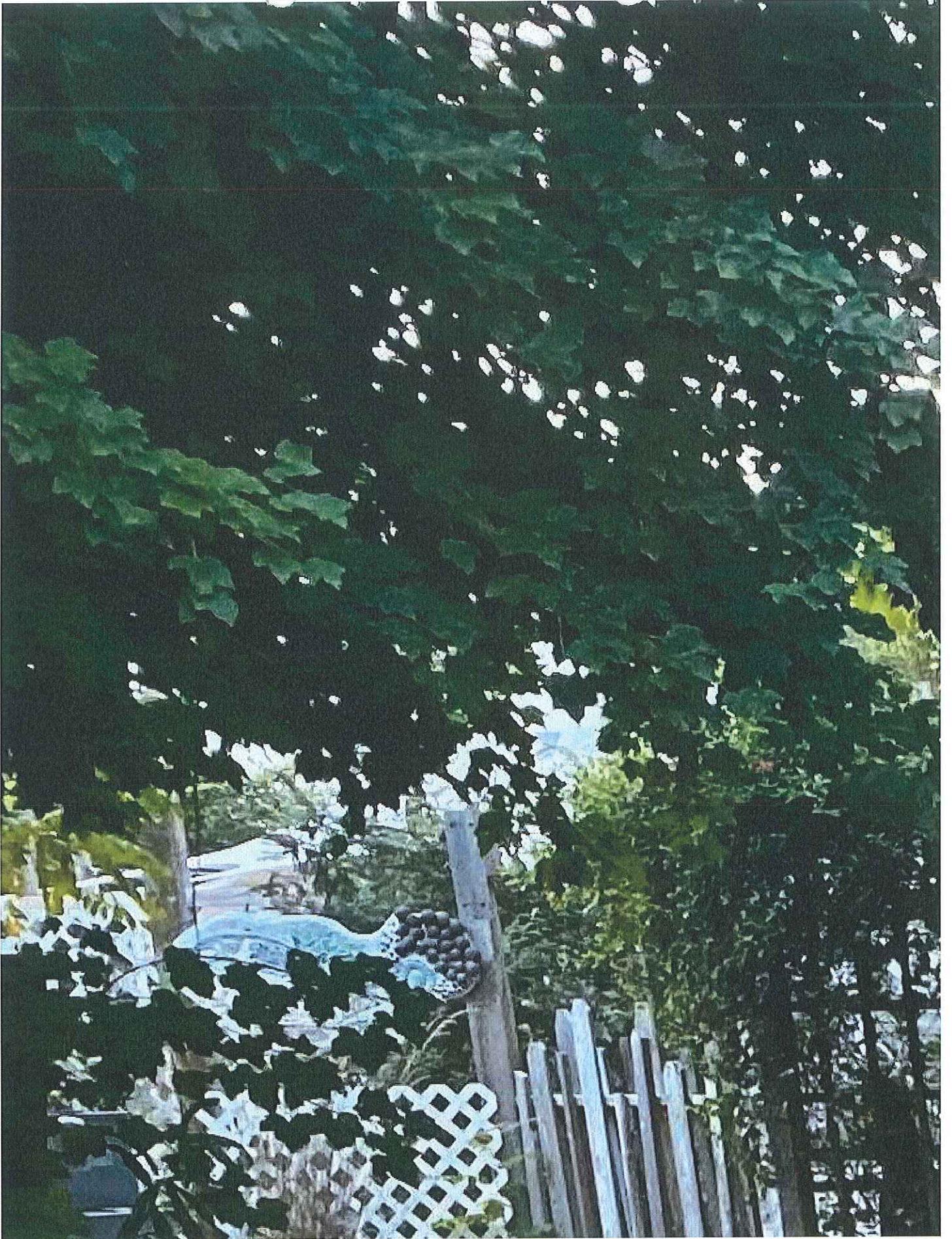
Ashley Paugh

From: Leslye Brossus <leslyebrossus@gmail.com>
Sent: Tuesday, September 21, 2021 11:19 AM
To: Ashley Paugh
Subject: Planning & Zoning Application for Conditional Use

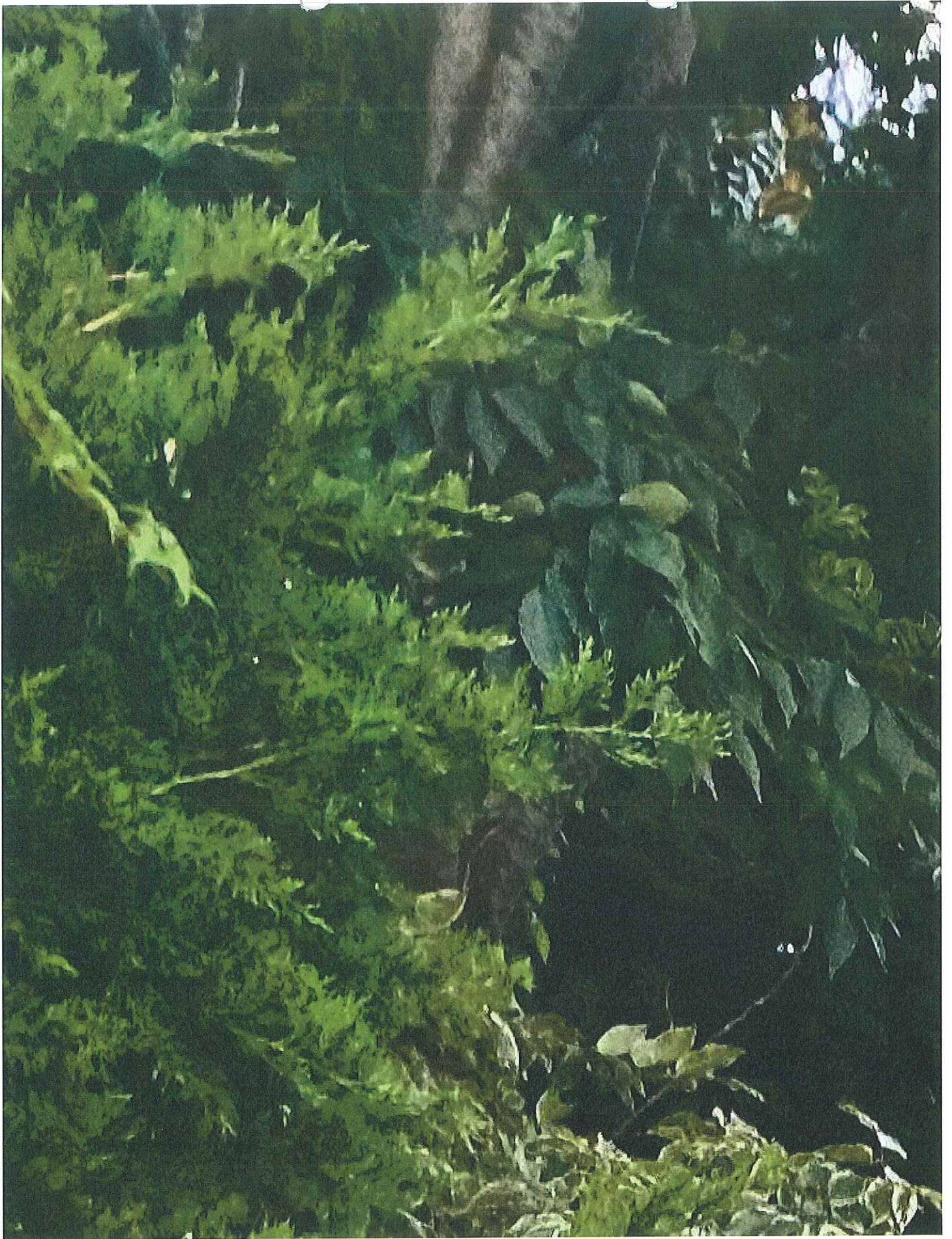
CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

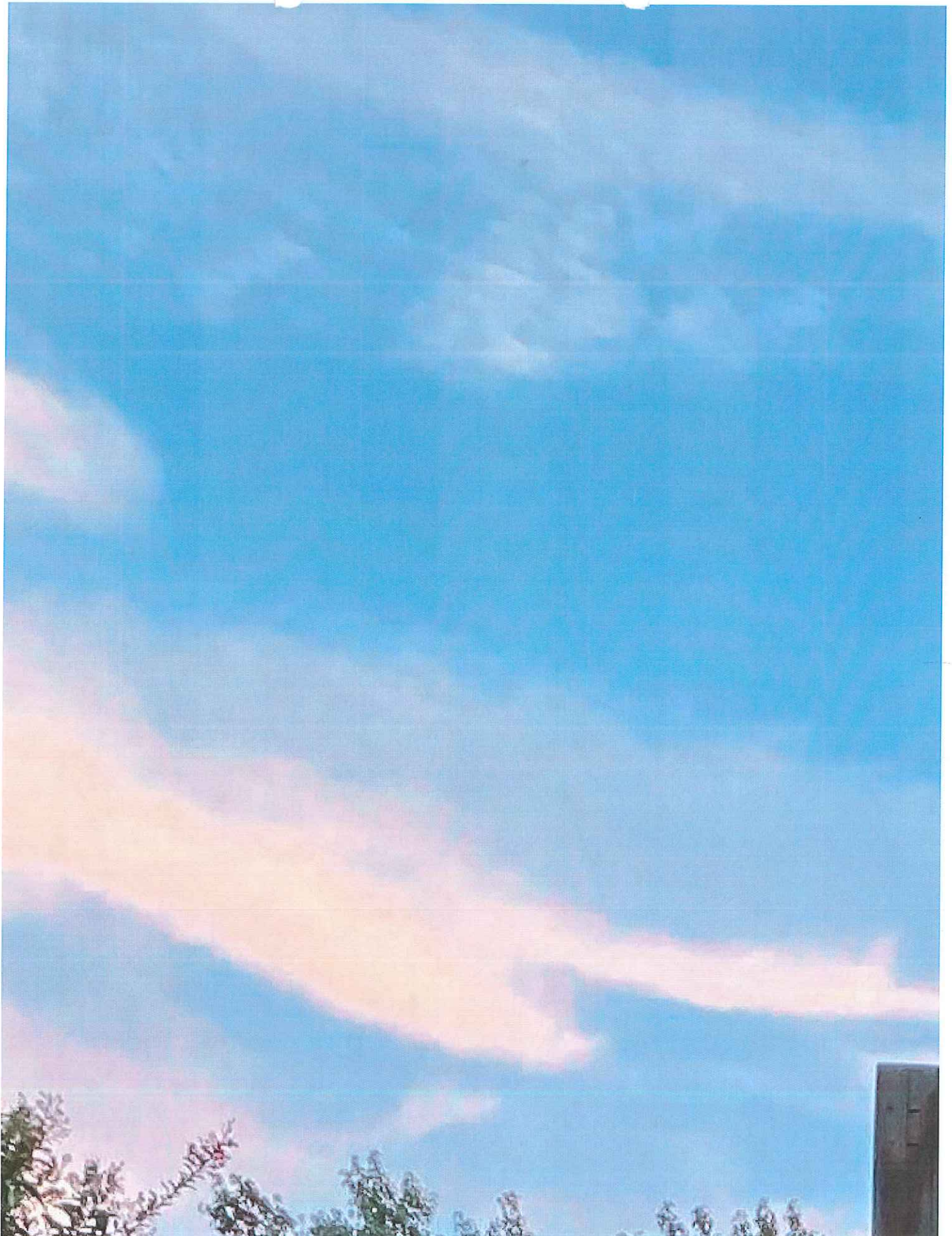
Here's the photos-











Ashley Paugh

From: Leslye brossus <leslyebrossus@gmail.com>
Sent: Tuesday, November 16, 2021 1:03 PM
To: Ashley Paugh
Subject: Brossus conditional use app

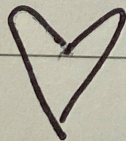


CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Sent from my iPhone

9/23 - 9/25/22

the nest was the perfect little cozy place to come back to after a day at the beach! we've been looking forward to this trip for months, and it didn't disappoint. we're celebrating our two year anniversary and couldn't have asked for a more perfect way to celebrate! Leslye was the absolute sweetest, and went above & beyond to ensure we were comfortable. we'll definitely be back!



sarah +
ava

CU 2323

RECEIVED

Opposition
Exhibit

SEP 19 2022

SUSSEX COUNTY
PLANNING & ZONING

September 14, 2022

Good Afternoon Planning Director – Jamie Whitehouse,

I'm taking the time to construct this letter, because my husband and I aren't able to attend the public hearing. We're VERY concerned about the upcoming public hearing for Lot 45 within the Banks Acres subdivision, 31631 Reading Street, Millville, DE.

We're homeowners in this small residential district. Since purchasing our property, we've witnessed this community slowly improving with homeowners who care about their property. About half the homeowners are full time residents.

An agenda hasn't been posted at the time of this writing. If I wait to view the agenda, I won't have this letter of several concerns delivered in time.

Concern #1 – permits

1. Did this individual, Leslye Brossus, ever obtain permits to construct these two structures on the property?

Concern #2 – public sewer hookup for the yurt and the treehouse

2. Have the two structures been hooked up to public sewer? If not, where are the tenants relieving themselves? Where are they washing themselves and cleaning up their dishes?

Concern #3 – excessive use of the roads in this small subdivision with renters coming and going

3. Many rentals are offered throughout the season, May 15 – September 15. That's a lot of extra traffic in the development.
4. Who's responsibility is it to keep the roads in good condition, since this small residential area doesn't have an HOA?

Concern #4 – commercial business approval

5. Once this property is given permission to run a commercial business, what's to stop others from applying to run a business? What law will be put in place to STOP others from applying for a commercial business license?

Concern #5 – trash

2525

6. Will there be enough trash containers/a dumpster fenced in and routine trash collection? We don't need issues with an array of critters in the neighborhood. Other neighborhoods are having issues with rats.

Thank you for considering each point/question posed before voting to approve allowing this woman to run a business in a residential area.

Residents,

Bob and Leslie Leaman