

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



Sussex County

DELAWARE
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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: November 3rd, 2022

Application: C/U 2329 Thomas Scott Drgon, Trustee

Applicant: Thomas Scott Drgon (Trustee for the Tom Drgon Revocable Trust)
37230 Dirickson Creek Road
Frankford, DE 19945

Owner: Thomas Scott Drgon (Trustee for the Tom Drgon Revocable Trust)
37230 Dirikson Creek Road
Frankford, DE 199445

Site Location: 37230 Dirickson Creek Road, Frankford, Delaware 19945. The property is lying on the southwest side of Dirickson Creek Road (S.C.R. 364B), approximately 0.23 mile southeast of the intersection of Millers Neck Road (S.C.R. 364A) and Dirickson Creek Road (S.C.R. 364B).

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

Proposed Use: Boat Restoration Business

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Roxana Fire Department

Sewer: Private (On-Site, Septic)

Water: Private (On-Site, Well)

Site Area: 6.20 acres +/-

Tax Map ID.: 134-21.00-14.07





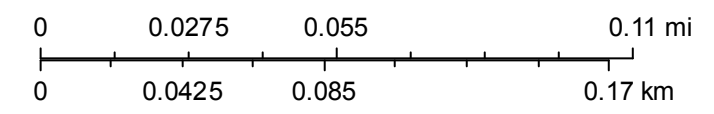
Sussex County



PIN:	134-21.00-14.07
Owner Name	DRGON THOMAS SCOTT TTEE OF REV TR
Book	5487
Mailing Address	PO BOX 678
City	BETHANY BEACH
State	DE
Description	SW/RT 364B OF
Description 2	N/A
Description 3	N/A
Land Code	

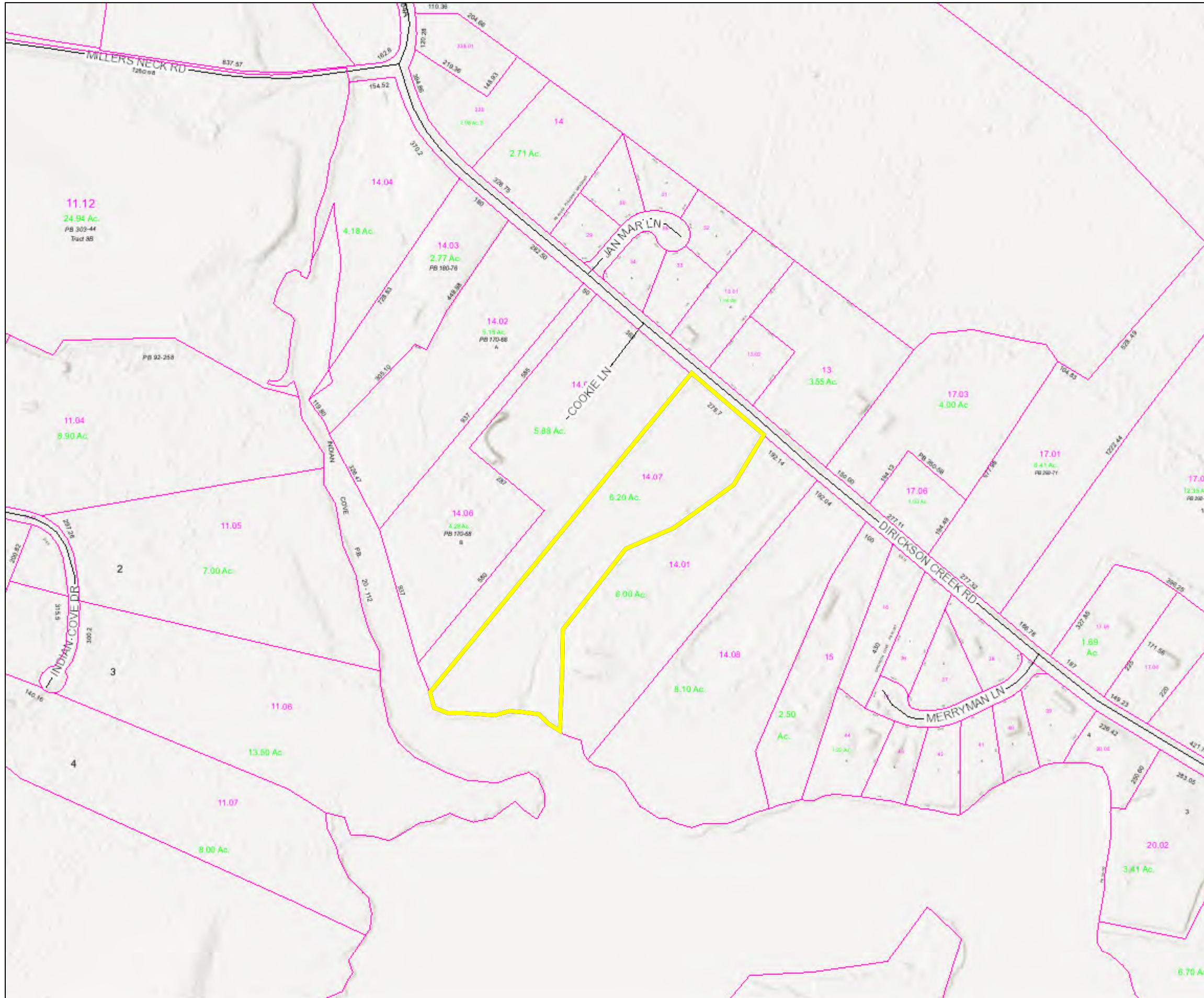
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- polygonLayer**
- Override 1
- ⋯ Tax Parcels
- 911 Address
- Streets
- County Boundaries

1:2,257





Sussex County



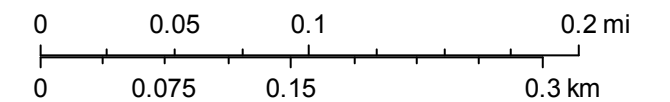
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- polygonLayer**

 - Override 1
- polygonLayer**

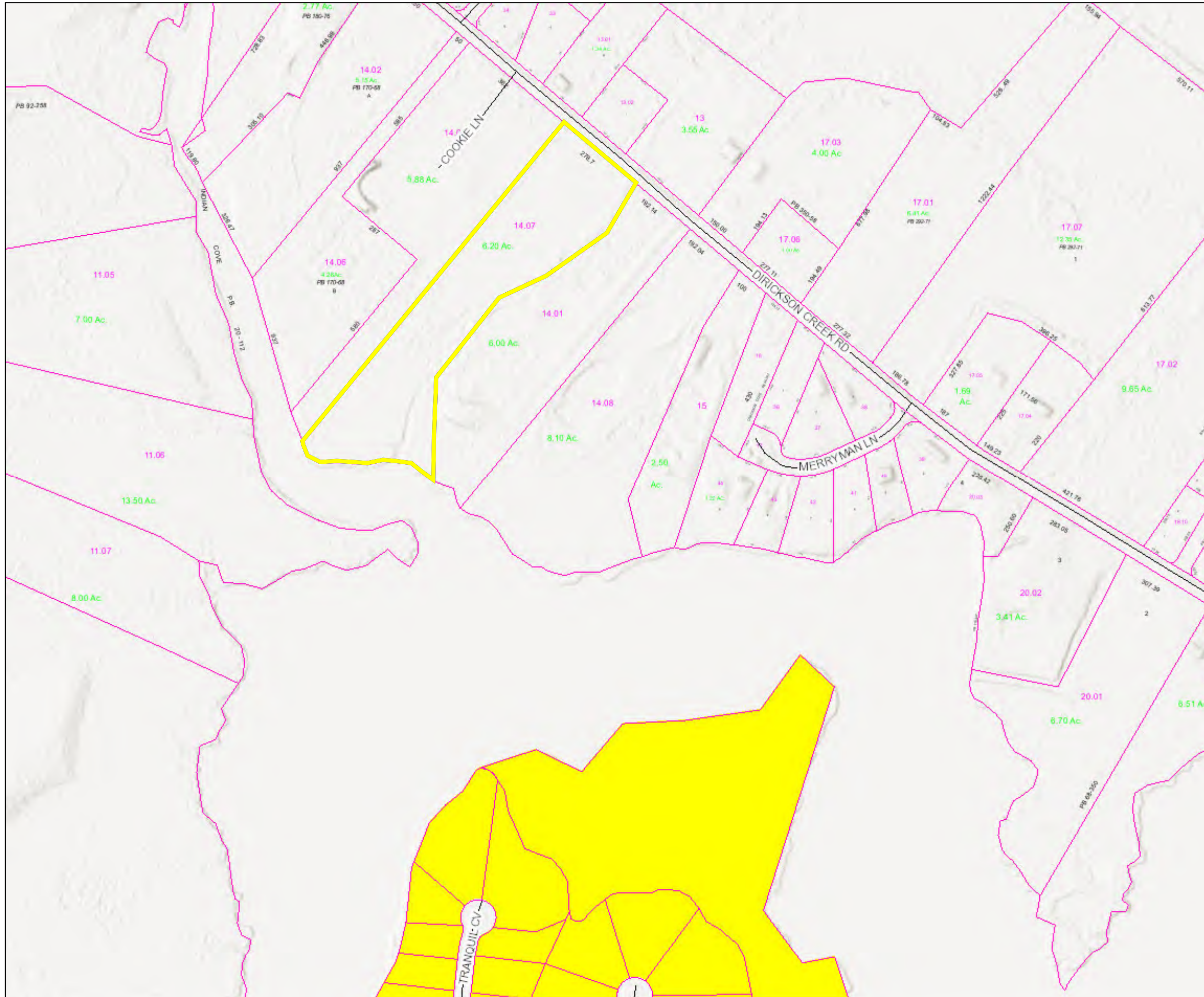
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- Tax Parcels
- Streets
- County Boundaries

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Sussex County



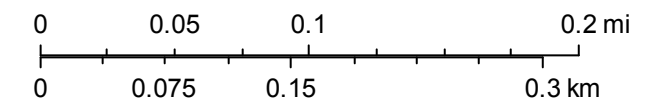
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Book	5487
Mailing Address	PO BOX 678
City	BETHANY BEACH
State	DE
Description	SW/RT 364B OF
Description 2	N/A
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

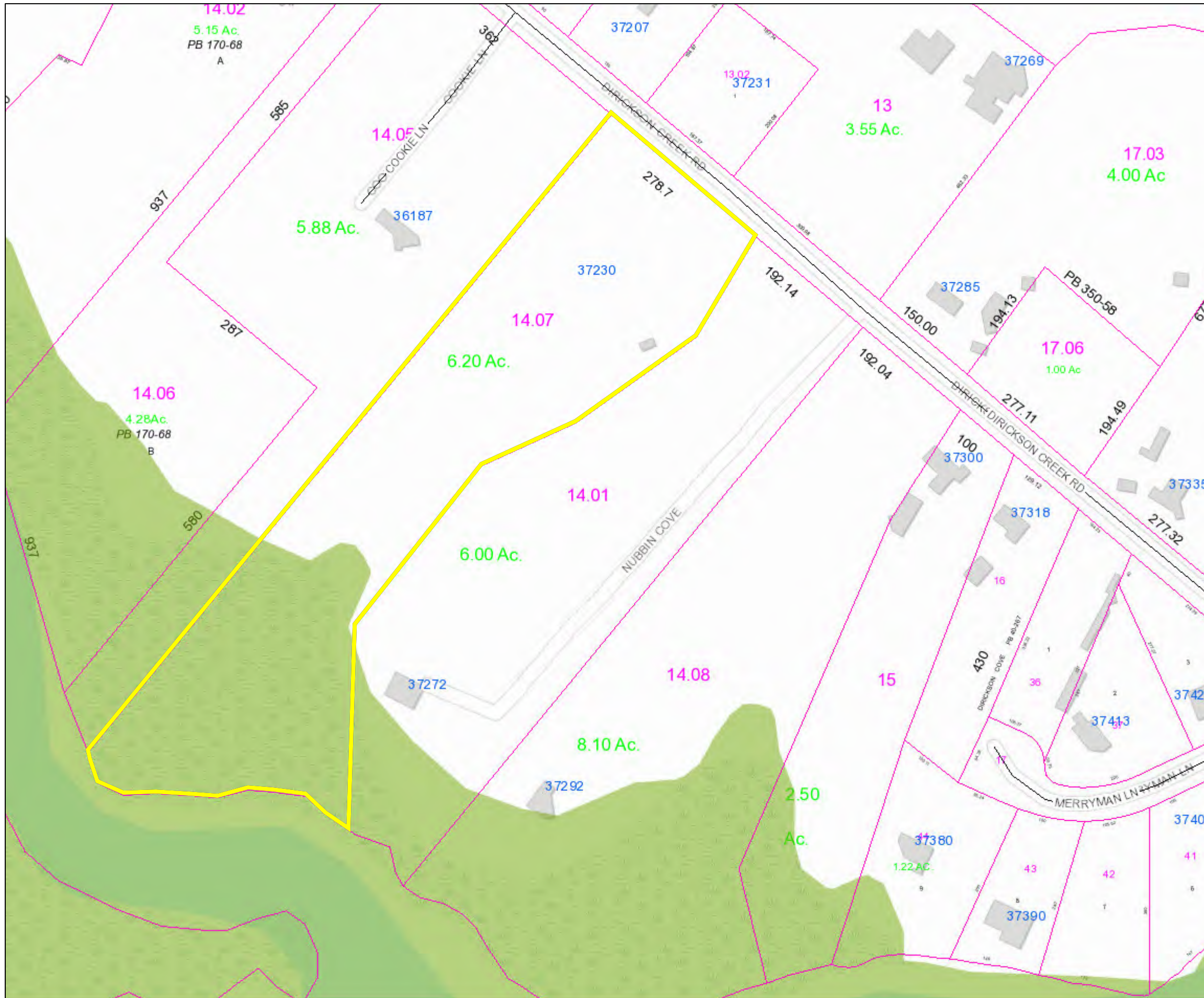
 - Override 1
- Tax Parcels
- Streets

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Sussex County



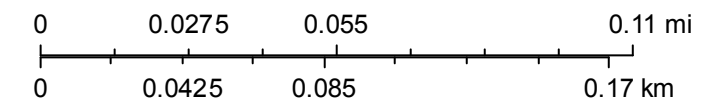
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Book	5487
Mailing Address	PO BOX 678
City	BETHANY BEACH
State	DE
Description	SW/RT 364B OF
Description 2	N/A
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

 - Override 1
 - Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries
 - 2007 Head of Tide Wetlands (not regulatory)

1:2,257





Delaware Flood Planning Tool

Location is **Within** from the FEMA 100-year floodplain in the Effective Map.



FEMA, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



October 27, 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

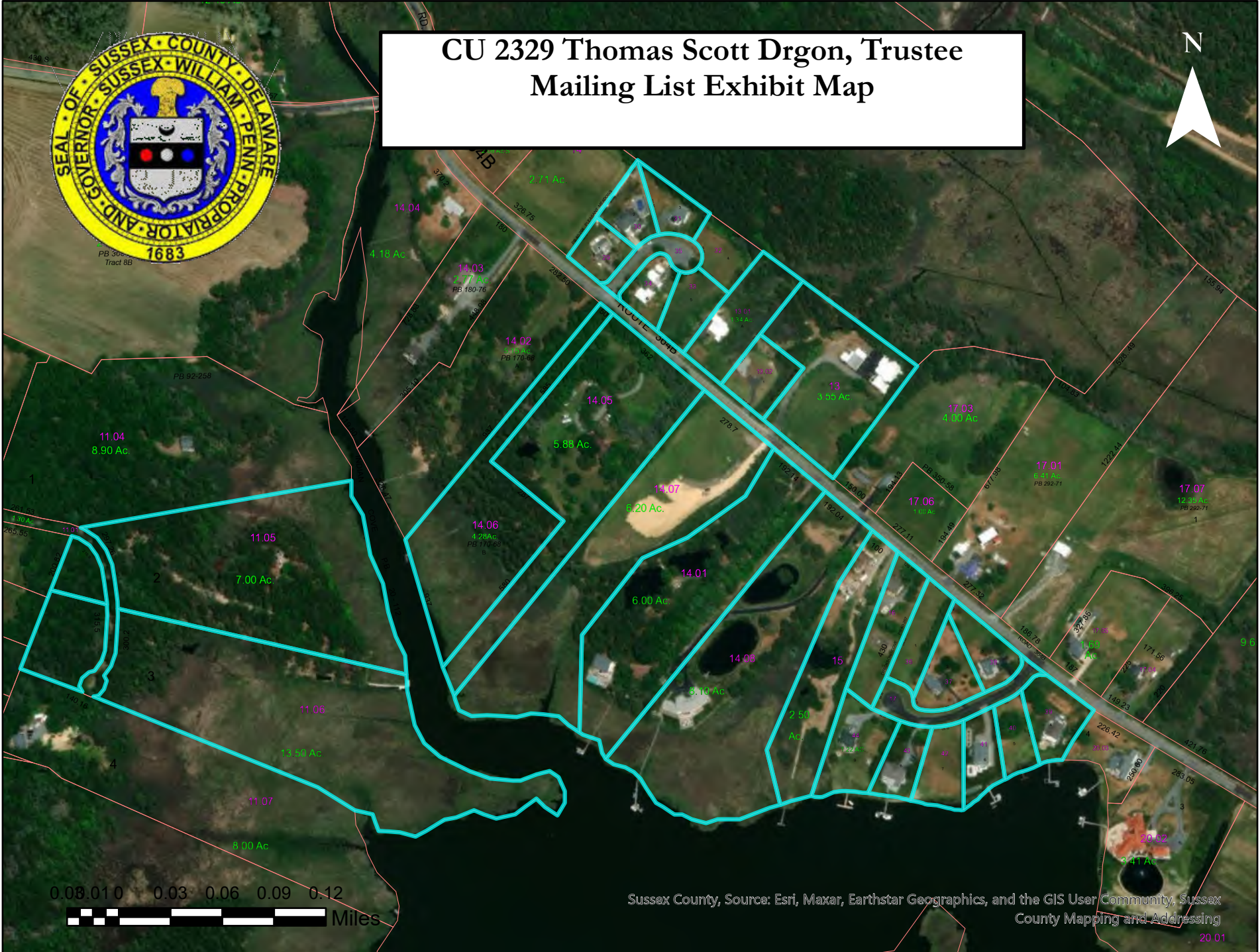
- ### Contours
- INDEX
 - DEPRESSION
 - HIDDEN
 - INTERVAL

Flood Zone (at Point): AE
 Base Flood Elevation (ft): 5
 FEMA Issued Flood Map: 10005C0651K
 Map Date: 3/16/2015
 Subwatershed (HUC12): Little Assawoman Bay
 Tax Parcel: 134-21.00-14.07

Owner Name	Second Owner Name	Mailing Address	City	State	Zipcode	PIN
THOMPSON MICHAEL	THOMPSON CHRISTINE	37390 MERRYMAN LANE	FRANKFORD	DE	19945	134-21.00-43.00
KAYACK ALBERT T	SUSAN K KEYACK	5140 KARKOW PL	DULLES	VA	20189	134-21.00-37.00
HEFFLER BRIAN T	ERIN M HEFFLER	15394 MT OLIVET RD	STEWARTSTOWN	PA	17363	134-21.00-32.00
RHOADES MICHAEL G & JENNIFER M	<Null>	37260 JAN MAR LN	FRANKFORD	DE	19945	134-21.00-34.00
SMITH JOSEPH A ELIZABETH A	SMITH	37429 MERRYMAN LN	FRANKFORD	DE	19945	134-21.00-38.00
HALL ADAM J & LAURIE B HALL	<Null>	37261 JAN MAR LN	FRANKFORD	DE	19945	134-21.00-29.00
WELCH PATRICK D	MAJA W WELCH	2302 FORT WILLIAM DR	OLNEY	MD	20832	134-21.00-41.00
FERGUSON ROBERT JOHN	MIA HANSON	37380 MERRYMAN LN	FRANKFORD	DE	19945	134-21.00-44.00
DRGON THOMAS SCOTT TTEE OF REV TR	<Null>	PO BOX 678	BETHANY BEACH	DE	19930	134-21.00-14.07
MITCHELL WALTER B JR	JENIFER K ADAMS MITCHELL	36187 COOKIE LN	FRANKFORD	DE	19945	134-21.00-14.05
MITCHELL WALTER B JR	JENIFER K ADAMS MITCHELL	36187 COOKIE LN	FRANKFORD	DE	19945	134-21.00-14.06
LUCA ROBERT R	LYDIA M LUCA	644 PANCOAST LN	DOWNINGTOWN	PA	19335	134-21.00-39.00
ERRETT ENTERPRISES INC	<Null>	PO BOX 256	BETHANY BEACH	DE	19930	134-21.00-35.00
LAROS JEFF C	FLYNN KIMBERLY	37377 DIRICKSON CREEK ROAD	FRANKFORD	DE	19945	134-21.00-16.00
SLOCUM PETER	<Null>	37207 DIRICKSON CREEK RD	FRANKFORD	DE	19945	134-21.00-13.01
MCGEE DAWN	<Null>	36272 NUBBIN CV	FRANKFORD	DE	19945	134-21.00-14.01
STEVENS THERESA M	<Null>	37292 DIRICKSON CREEK ROAD	FRANKFORD	DE	19945	134-21.00-14.08
MADANAT AMJAD	CHARLENE MADANAT	34700 BETHANY DR	FRANKFORD	DE	19945	134-21.00-13.00
LANE JANET	<Null>	32040 MOUNT HERMON RD	SALISBURY	MD	21804	134-21.00-33.00
MERRYMAN JOHN III TRUSTEE	GLORIA F MERRYMAN TRUSTEE	PO BOX 539	BETHANY BEACH	DE	19930	134-21.00-36.00
SCOTT LEIGH ANTONIE	<Null>	37271 JAN MAR LN	FRANKFORD	DE	19945	134-21.00-30.00
MERRYMAN JOHN III TRUSTEE	GLORIA F MERRYMAN TRUSTEE	PO BOX 539	BETHANY BEACH	DE	19930	134-21.00-42.00
KIMBLE CHESTER T & CHERYL K FINE	TRUSTEE	36897 INDIAN COVE DR	FRANKFORD	DE	19945	134-21.00-11.06
WOOD ROBERT KEVIN & SUSAN	TOWNLEY WOOD	37300 DIRICKSON CREEK RD	FRANKFORD	DE	19945	134-21.00-15.00
ALX LTD	<Null>	PO BOX 539	BETHANY BEACH	DE	19930	134-21.00-17.00
HARRINGTON RONALD M	NIKKI M HARRINGTON	915 WILSON RD	WILMINGTON	DE	19803	134-21.00-13.02
FOWLER WILLIAM F	<Null>	36875 INDIAN COVE DR	FRANKFORD	DE	19945	134-21.00-11.05
HAMMOND GEORGE E & CYNTHIA A	HAMMOND	5691 TOWER HILL CIR	ALEXANDRIA	VA	22315	134-21.00-40.00
GAUDIOSO DAVID	MELANIE GAUDIOSO	588 SWAMP PICNIC RD	GILBERTSVILLE	PA	19525	134-21.00-31.00



CU 2329 Thomas Scott Drgon, Trustee Mailing List Exhibit Map



Sussex County, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Sussex County Mapping and Addressing

JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
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: October 27th, 2022
RE: Staff Analysis for C/U 2329 Thomas Scott Drgon, Trustee

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2329 Thomas Scott Drgon, Trustee to be reviewed during the November 3rd, 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 134-21.00-14.07 to allow a boat restoration business. The property is lying on the southwest side of Dirickson Creek Road (S.C.R. 364B), approximately 0.23 mile southeast of the intersection of Millers Neck Road (S.C.R. 364A) and Dirickson Creek Road (S.c.R. 364B). The property is located at 37230 Dirickson Creek Road. The property consists of 6.20 acres +/-.

Further Site Considerations

Staff note that per the County's Online Mapping System that the rear of the parcel appears to be encumbered by federally regulated tidal wetlands. A supplemental map has been provided to the Commission noting the nature and location of these areas.

Additionally, the southernmost property line shares a border with Dirickson Creek and therefore the applicable tidal wetlands buffer must be provided for the use of which no structures may be located.

Lastly, staff note that the property is located within the "AE" Flood Zone (Areas subject to inundation by the one-percent annual chanced flood) and of which Base Flood Elevations are projected to be approximately 5-ft.

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 Agricultural Residential (AR-1) District is listed as an Applicable Zoning District within the “Coastal Area.” (Sussex County Comprehensive Plan, 4-25).

The adjacent parcels to the north, south, east and west of the subject property are all zoned Agricultural Residential (AR-1) District.

The property on the opposite side of Dirickson Creek consisting of The Refuge at Dirickson Creek subdivision is zoned Medium Density Residential (MR) District. There is also an area of General Residential (GR) District located on the north side of Millers Neck Road (S.C.R. 364A) which intersects with Dirickson Creek Road (S.C.R. 364B) and Camp Barnes Road (S.C.R. 364A) to the northwest of the subject property.

Existing Conditional Uses within the Vicinity of the Subject Site

Since 1970, there have been three (3) Conditional Use applications within a 1-mile radius of the application site. The first application is for C/U 2100 Catherine Schultz to allow for a retail flower shop to be located within an Agricultural Residential (AR-1) District. The Planning and Zoning Commission recommended approval for the use at their meeting of Thursday, October 12, 2017. The Sussex County Council approved the use at their meeting of Tuesday, October 31, 2017, and the change was adopted through Ordinance No. 2530. The second application is for C/U 2170 Old Mill Bridge, LLC to allow multifamily dwellings to be located within an Agricultural Residential (AR-1) District. This Application was subsequently withdrawn and submitted as a separate proposal for a single-family Coastal Area Cluster Subdivision known as Bridgewater (2019-13) (F.K.A. Bent Creek & Old Mill Landing North). The third application is for C/U 2174 Madeline Troescher to allow for an event venue to be located within an Agricultural Residential (AR-1) District. This application was also subsequently withdrawn on June 25th, 2019.

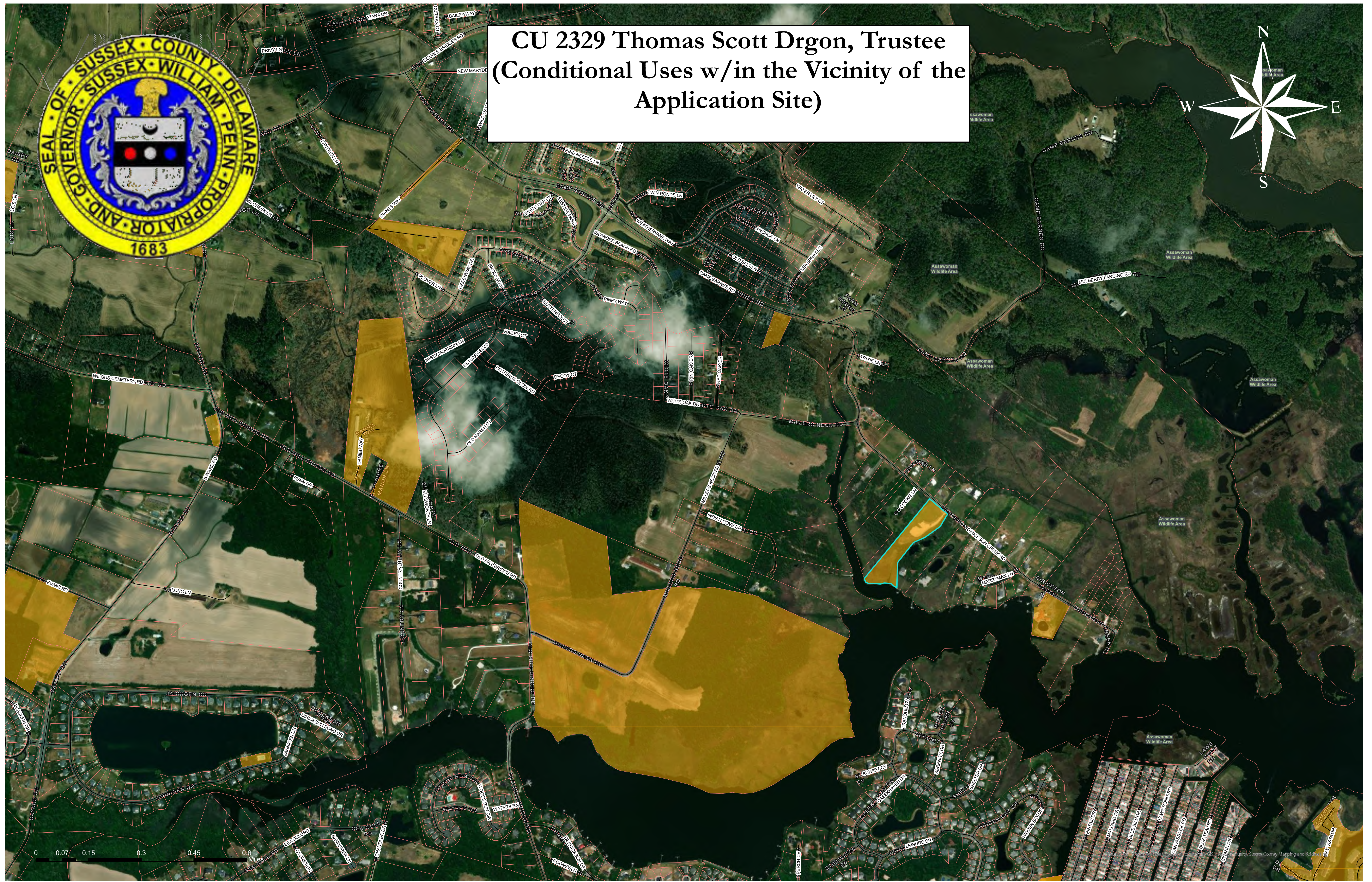
A Supplemental Map has been supplied which provides the location of all other Conditional Uses which are greater than 1 mile distance from the subject site.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for a boat restoration business, 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 1 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 2100	Catherine Schultz	AR-1	Retail Flower Shop	Recommended Approval	10/12/2017	Approved	10/31/2017	2530
C/U 2170	Old Mill Bridge, LLC	AR-1	Multifamily Proposal	Application Withdrawn (Resubmitted as County Project 2019-13)	W/D	Application Withdrawn	W/D	N/A
C/U 2174	Madeline Troescher	AR-1	Event Venue	Application Withdrawn (on 6/15/19)	W/D	Application Withdrawn	W/D	N/A



CU 2329 Thomas Scott Drgon, Trustee
(Conditional Uses w/in the Vicinity of the
Application Site)



0 0.07 0.15 0.3 0.45 0.6 Miles

File #: CU 2321
202111266

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

RECEIVED

NOV 29 2021

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

37230 Dirickson Creek Road Frankford Delaware 19945

Type of Conditional Use Requested:

Boat Restoration

Tax Map #: 134-21.00-14,07

Size of Parcel(s): _____

Current Zoning: AR-1

Proposed Zoning: C/U

Size of Building: 2500 square feet

Land Use Classification: Coastal

Water Provider: On-site

Sewer Provider: On-site

Applicant Information

Applicant Name: Thomas Drgon Trustee for the Tom Drgon Revocable Trust

Applicant Address: 37230 Dirickson Creek Road

City: Frankford

State: DE

Zip Code: 19945

Phone #: (301) 351-2300

E-mail: fperna.org

Owner Information

Owner Name: same

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Tim Willard

Agent/Attorney/Engineer Address: 26 The Circle

City: Georgetown

State: DE

Zip Code: 19947

Phone #: (302) 856-7777

E-mail: tim@fwsslaw.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.
- De/DOE 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

Tina Wilkerson

Date: 11-19-21

Signature of Owner

X *Thomas A. Dizon*

Date: 11/22/2021

For office use only:

Date Submitted: 11/22/2021
Staff accepting application: SP
Location of property: _____

Fee: \$500.00 Check #: 25321
Application & Case #: 202117266

Subdivision: _____
Date of PC Hearing: _____ Recommendation of PC Commission: _____
Date of CC Hearing: _____ Decision of CC: _____

Electronically Recorded Document 2021000038873 BK: 5487 PG: 197
Recorder of Deeds, Scott Dailey On 6/15/2021 at 11:15:18 AM Sussex County, DE
Consideration: \$300,000.00 County/Town: \$4,500.00 State: \$7,500.00 Total: \$12,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX PARCEL #: 1-34 21.00 14.07
PREPARED BY & RETURN TO:
Hudson Jones Jaywork & Fisher
309 Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. PERNA-P-21/JPB

RETURN TO:
Thomas Scott Drgon
36284 Old Church Cemetery Road
Frankford, DE 19945

THIS DEED, made this 14th day of June, 2021,

- BETWEEN -

JESSE C. BOYES and GRACE ANNE BOYES, of 364B Dirickson Creek Rd, Frankford, DE 19945, parties of the first part,

- AND -

THOMAS SCOTT DRGON, TRUSTEE OF THE TOM DRGON REVOCABLE TRUST, ESTABLISHED ON JUNE 14, 2021, of 36284 Old Church Cemetery Rd, Frankford, DE 19945, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **TEN DOLLARS (\$10.00)**, lawful money of the United States of America and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece and parcel of land lying and being in Baltimore Hundred. Sussex County, Delaware and being generally known and designated as Parcel "C" and more particularly described as follows, to wit:

BEGINNING at an iron pipe lying on the northwesterly side of County Road #364B, said iron pipe lying 0.2 of a mile, more or less, southeast of Road 364A; thence along these lands and the aforesaid side of Road 364B South 39 degrees 46 minutes 33 seconds East 278.70 feet to an iron pipe, said iron pipe being a corner of these lands and Parcel "B"; thence along these lands and Parcel "B" South 44 degrees 15 minutes 50 seconds West, 185.8 feet to a point; thence along these lands and Parcel "B" South 65 degrees 45 minutes 39 seconds West 226.5 feet to a point; thence along these lands and Parcel "B" South 73 degrees 53 minutes 24 seconds West, 146.5

Document# 2021000038873 BK: 5 PG: 198

Recorder of Deeds, Scott Dailey On 6/15/2021 at 11:15:18 AM Sussex County, DE
Doc Surcharge Paid

feet to an iron pipe; thence along these lands and Parcel "B" South 50 degrees 22 minutes 24 seconds West, 306.54 feet to an iron pipe; thence along these lands and the meanderings of Williams Creek 580 feet, more or less, to a point: said point: lying on the northeasterly side of Williams Creek; thence along these lands North 50 degrees 22 minutes 57 seconds East, 1,228 feet, more or less, as will more fully and at large appear upon reference to a survey prepared by Miller Lewis, Inc., Registered Land Surveyors, dated August 13, 1979.

BEING the same lands and premises conveyed to Jesse C. Boyes and Grace Anne Boyes from Jesse C. Boyes and Grace A. Boyes, by Confirmatory Deed dated January 5, 2021, and recorded on January 11, 2021, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 5389, Page 11 **AND BEING** the same lands and premises conveyed to Jesse C. Boyes and Grace A. Boyes, by Deed dated November 12, 2020, and recorded on November 16, 2020, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 5351, Page 316.

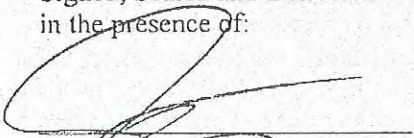
SUBJECT to any and all applicable restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

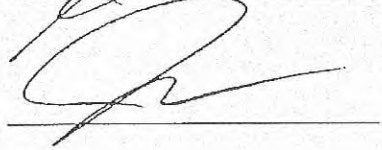
Document# 2021000038873 BK: 5 PG: 199

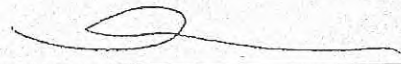
Recorder of Deeds, Scott Dailey On 6/15/2021 at 11:15:18 AM Sussex County, DE
Doc Surcharge Paid

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.


Signed, Sealed and Delivered
in the presence of:







Jesse C. Boyes (SEAL)

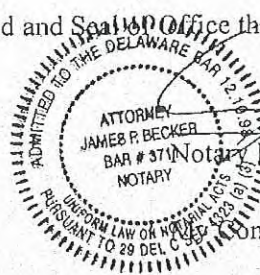
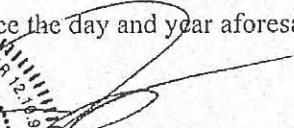


Grace Anne Boyes (SEAL)

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on June 14, 2021, personally came before me, the subscriber, Jesse C. Boyes and Grace Anne Boyes, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal in Office the day and year aforesaid.

Notary Public
Commission Expires: _____



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

NICOLE MAJESKI
SECRETARY

November 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 **Thomas Drgon trustee for the Tom Drgon Revocable Trust** proposed land use application, which we received on November 9, 2021. This application is for an approximately 6.2-acre parcel (Tax Parcel: 134-21.00-14.07). The subject land is located on the south side of Dirickson Creek Road (Sussex Road 364B) about 1,200 feet east of the intersection with Millers Neck Road (State Route 364A). The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval to operate a boat restoration business.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Dirickson Creek Road, is 150 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DeIDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DeIDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DeIDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.


If the County approves this application, the applicant should be reminded that DeIDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



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

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

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Thomas Drgon trustee for the Tom Drgon Revocable Trust, Applicant
Tim Willard, Fuqua, Willard, Stevens & Schab, P.A.
Elliot 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
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: **Ken Briggs**

DATE: **10/10/2022**

APPLICATION: C/U 2329 Thomas Scott Drgon, Trustee

APPLICANT: Thomas Scott Drgon (Trustee for the Tom Drgon Revocable Trust)

FILE NO: **MC-1.02**

TAX MAP &
PARCEL(S): **134-21.00-14.07**

LOCATION: lying on the southwest side of Dirickson Creek Road (S.C.R. 364B), approximately 0.23 mile southeast of the intersection of Millers Neck Road (S.C.R. 364A) and Dirickson Creek Road (S.C.R. 364B)

NO. OF UNITS: **Boat Restoration Business**

GROSS
ACREAGE: **6.20**

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 2**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? .
- (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? . 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? **No**
- (8). Comments: **Septic System, several additional parcels would be required to annex & substantial infrastructure installed to provide central sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**
- (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

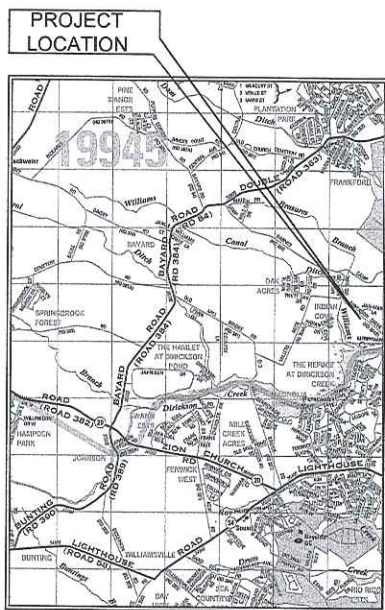
Xc: Hans M. Medlarz, P.E.
Lisa Walls
No Permit Tech Assigned

THE TOM DRGON REVOCABLE TRUST

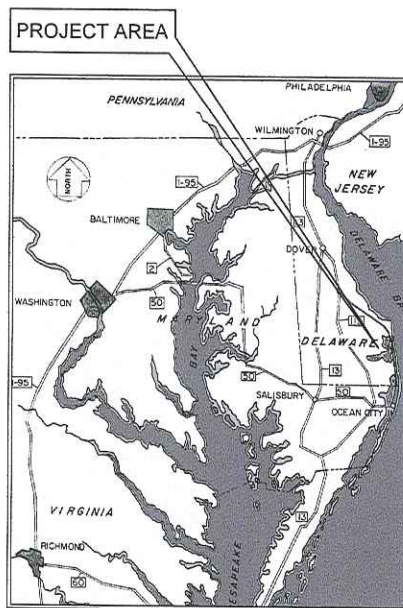
SUSSEX COUNTY, DELAWARE

CONDITIONAL USE / SITE PLAN

GMB FILE NO. 180153



LOCATION MAP
SCALE: 1" = 1,000'



VICINITY MAP
SCALE: 1" = 20 MILES

LIST OF DRAWINGS

- G1.0 COVER SHEET
- C1.0 OVERALL SITE PLAN



GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • EDWARDS
206 DOWNTOWN PLAZA
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-848-0760
www.gmbinc.com

NOVEMBER 2021

CONTACTS

OWNER: THE TOM DRGON REVOCABLE TRUST
37230 DIRICKSON CREEK ROAD
FRANKFORD, DELAWARE 19945

CONTACT: FRANK A. PERNA JR.
(PHONE) 301-357-2300
(EMAIL) FRANK@FRANKPERNA.ORG

OWNER: GEORGE, MILES & BUHR, LLC
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801

CONTACT: CHRISTOPHER PFEFFER, P.E.
(PHONE) 410-742-3115
(EMAIL) CPFEFFER@GMBINC.COM

SITE DATA

SITE ADDRESS: APPROXIMATELY 1.400LF SOUTH OF INTERSECTION OF MILLERS NECK ROAD & DIRICKSON CREEK ROAD BETHANY BEACH, DE 19930

TAX MAP & PARCEL: 134-21.00-14.07

CURRENT ZONING: AR-1

PROPOSED USE: SINGLE FAMILY RESIDENCE, BOAT RESTORATION

TOTAL SITE AREA: ±8.48 ACRES

EXISTING STATE REGULATED (DARRED) WETLANDS: ±2.18 ACRES

EXISTING FEDERALLY REGULATED (CORPUS OF ENGINEERS) WETLANDS: ±2.05 ACRES

EXISTING FORESTED AREA TO REMAIN: ±3.13 ACRES

BUILDING SETBACKS:
FRONT: 40'
SIDE: 15'

FLOOD PLAIN AE 4: PER FEMA MAP 100050081K, DATED MARCH 16, 2015.

WATER PROVIDER: ON SITE WELL

SEWER PROVIDER: ON SITE SEPTIC

DE STATE PLANE COORDINATE SYSTEM 1403/91 AND NAVD83 VERTICAL DATUM

OWNERS CERTIFICATION:

"I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHOULD BE DONE PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E. BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT. AT A DISCRETION CONSIDERED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DIRECT SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NRCES CONSTRUCTION GENERAL PERMIT, AS REFERENCED ON THIS COVER SHEET."

FRANK A. PERNA JR. _____ DATE _____
CO-TRUSTEE

ENGINEER'S CERTIFICATION:

"I, STEPHEN L. MARSH, P.E., HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES."

STEPHEN L. MARSH P.E. _____ DATE _____

WETLAND CERTIFICATION:

"I, EDWARD M. LALAMY, P.E., STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPUS OF ENGINEERS REGULATORY PROGRAM DETERMINED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGEMENT IN ACCORDANCE WITH THE 1987 CORPUS OF ENGINEERS WETLANDS DETERMINATION MANUAL, REGULATIONS AND SUPPLEMENTAL GUIDANCE (33 CFR 328.3(a)(2), 33 CFR 328.3(a)(3), 33 CFR 328.3(a)(4), 33 CFR 328.3(a)(5), 33 CFR 328.3(a)(6), 33 CFR 328.3(a)(7), 33 CFR 328.3(a)(8), 33 CFR 328.3(a)(9), 33 CFR 328.3(a)(10), 33 CFR 328.3(a)(11), 33 CFR 328.3(a)(12), 33 CFR 328.3(a)(13), 33 CFR 328.3(a)(14), 33 CFR 328.3(a)(15), 33 CFR 328.3(a)(16), 33 CFR 328.3(a)(17), 33 CFR 328.3(a)(18), 33 CFR 328.3(a)(19), 33 CFR 328.3(a)(20), 33 CFR 328.3(a)(21), 33 CFR 328.3(a)(22), 33 CFR 328.3(a)(23), 33 CFR 328.3(a)(24), 33 CFR 328.3(a)(25), 33 CFR 328.3(a)(26), 33 CFR 328.3(a)(27), 33 CFR 328.3(a)(28), 33 CFR 328.3(a)(29), 33 CFR 328.3(a)(30), 33 CFR 328.3(a)(31), 33 CFR 328.3(a)(32), 33 CFR 328.3(a)(33), 33 CFR 328.3(a)(34), 33 CFR 328.3(a)(35), 33 CFR 328.3(a)(36), 33 CFR 328.3(a)(37), 33 CFR 328.3(a)(38), 33 CFR 328.3(a)(39), 33 CFR 328.3(a)(40), 33 CFR 328.3(a)(41), 33 CFR 328.3(a)(42), 33 CFR 328.3(a)(43), 33 CFR 328.3(a)(44), 33 CFR 328.3(a)(45), 33 CFR 328.3(a)(46), 33 CFR 328.3(a)(47), 33 CFR 328.3(a)(48), 33 CFR 328.3(a)(49), 33 CFR 328.3(a)(50), 33 CFR 328.3(a)(51), 33 CFR 328.3(a)(52), 33 CFR 328.3(a)(53), 33 CFR 328.3(a)(54), 33 CFR 328.3(a)(55), 33 CFR 328.3(a)(56), 33 CFR 328.3(a)(57), 33 CFR 328.3(a)(58), 33 CFR 328.3(a)(59), 33 CFR 328.3(a)(60), 33 CFR 328.3(a)(61), 33 CFR 328.3(a)(62), 33 CFR 328.3(a)(63), 33 CFR 328.3(a)(64), 33 CFR 328.3(a)(65), 33 CFR 328.3(a)(66), 33 CFR 328.3(a)(67), 33 CFR 328.3(a)(68), 33 CFR 328.3(a)(69), 33 CFR 328.3(a)(70), 33 CFR 328.3(a)(71), 33 CFR 328.3(a)(72), 33 CFR 328.3(a)(73), 33 CFR 328.3(a)(74), 33 CFR 328.3(a)(75), 33 CFR 328.3(a)(76), 33 CFR 328.3(a)(77), 33 CFR 328.3(a)(78), 33 CFR 328.3(a)(79), 33 CFR 328.3(a)(80), 33 CFR 328.3(a)(81), 33 CFR 328.3(a)(82), 33 CFR 328.3(a)(83), 33 CFR 328.3(a)(84), 33 CFR 328.3(a)(85), 33 CFR 328.3(a)(86), 33 CFR 328.3(a)(87), 33 CFR 328.3(a)(88), 33 CFR 328.3(a)(89), 33 CFR 328.3(a)(90), 33 CFR 328.3(a)(91), 33 CFR 328.3(a)(92), 33 CFR 328.3(a)(93), 33 CFR 328.3(a)(94), 33 CFR 328.3(a)(95), 33 CFR 328.3(a)(96), 33 CFR 328.3(a)(97), 33 CFR 328.3(a)(98), 33 CFR 328.3(a)(99), 33 CFR 328.3(a)(100)."

THE BOUNDARIES OF STATE REGULATED WETLANDS ON THIS PROPERTY WERE DETERMINED IN ACCORDANCE WITH DARRED WETLAND MAP NO. 2008-100.

EDWARD M. LALAMY, P.E. NO. 875 _____ DATE _____
CORPUS OF ENGINEERS
CORPUS OF ENGINEERS
CERTIFIED WETLAND DELINEATOR WDCP034000100388

PRINTED ISSUED FOR DRAWINGS STAGE

DATE	
REVISIONS	
NO.	

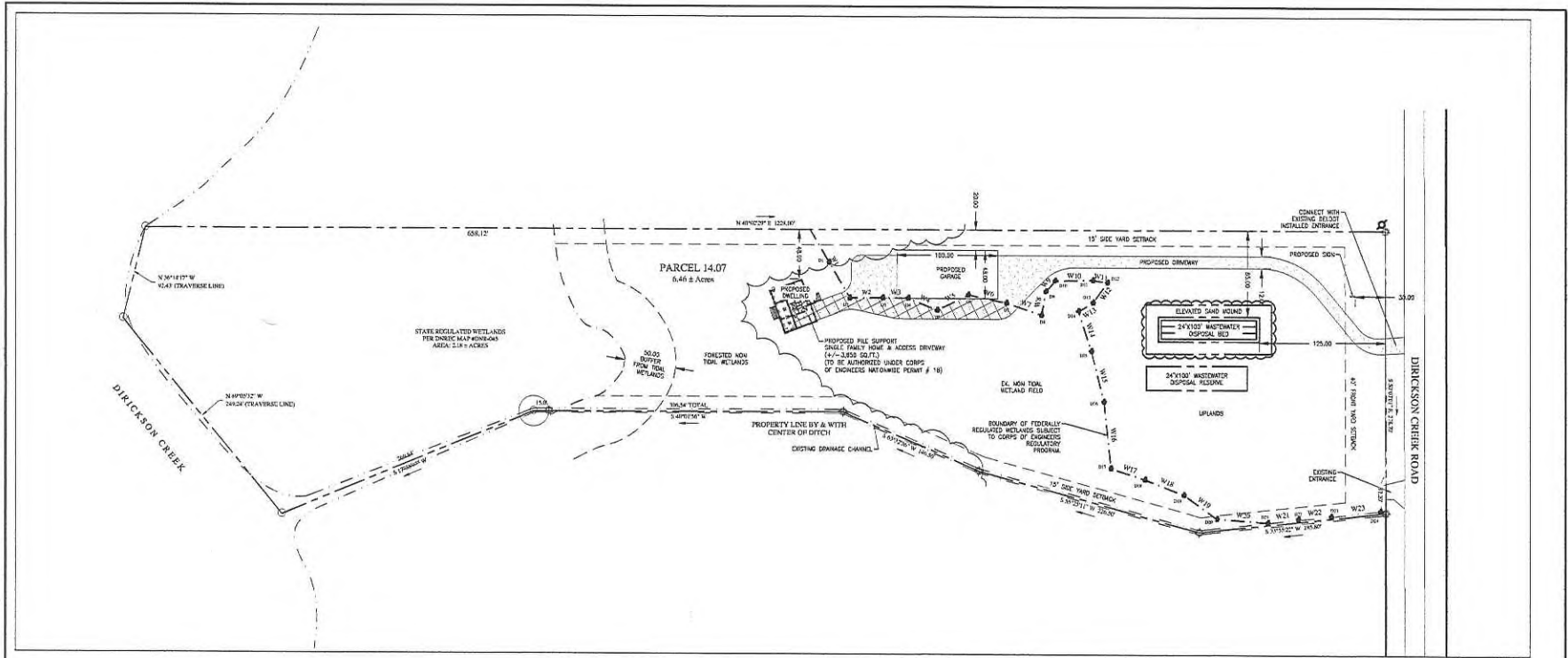
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
www.gmbinc.com

DIRICKSON CREEK ROAD
SUSSEX COUNTY, DELAWARE

COVER SHEET

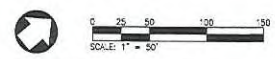
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DESIGN BY:	JK	G1.0
DRAWN BY:	JK	
CHECKED BY:	JK	
GMB FILE:	180153	
DATE:	NOV 2021	

FILE COPY



LEGEND

- - - - BOUNDARY OF STATE REGULATED TIDAL WETLANDS (DHRDC)
- 50' BUFFER FROM STATE REGULATED TIDAL WETLANDS
- BOUNDARY OF FEDERALLY REGULATED WETLANDS SUBJECT TO CORPS OF ENGINEERS REGULATORY PROGRAM
- AREA OF PROPOSED FILL WITHIN NON-TIDAL WETLAND FIELD TO BE AUTHORIZED BY CORPS NATION WEC PERMIT NO.18



PRINTS ISSUED FOR DRAWING STAGE	
NO.	DATE
REVISIONS	

 GMB GEORGE, MILES & BUHR, LLC ARCHITECTS & ENGINEERS 208 WEST MAIN STREET SALISBURY, MARYLAND 21801 TEL: 410.326.6600 WWW.GMBINC.COM	
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DIRICKSON CREEK ROAD
SUSSEX COUNTY, DELAWARE

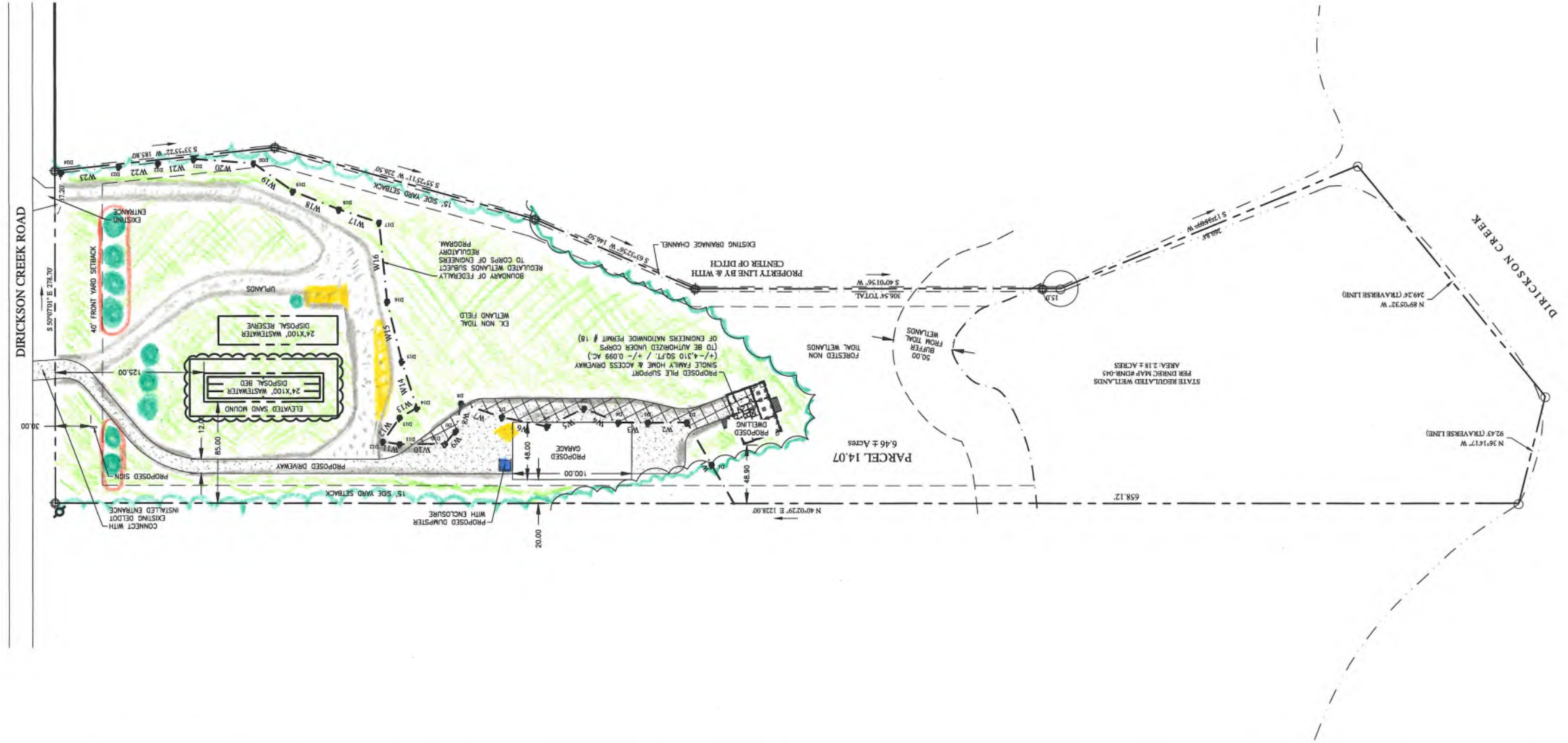
CONDITIONAL USE / PRELIMINARY SITE PLAN

Scale:	1" = 50'	SHEET NO.	
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Drawn By:	LJC		
Checked By:			
Plot Date:	10/15/13		
Plot:	NOV 2011		

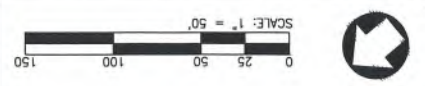
C1.0

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LEGEND
 BOUNDARY OF STATE REGULATED TOTAL WETLANDS (DNRDC)
 50' BUFFER FROM STATE REGULATED TOTAL WETLANDS
 BOUNDARY OF FEDERALLY REGULATED WETLANDS SUBJECT TO CORPS OF ENGINEERS REGULATORY PROGRAM
 AREA OF PROPOSED FILL WITHIN NON-TOTAL WETLAND FIELD TO BE AUTHORIZED BY CORPS NATION WIDE PERMIT NO. 18



- GRASS
- Gravel
- Leyland cypress
- PARKING
- BEYM



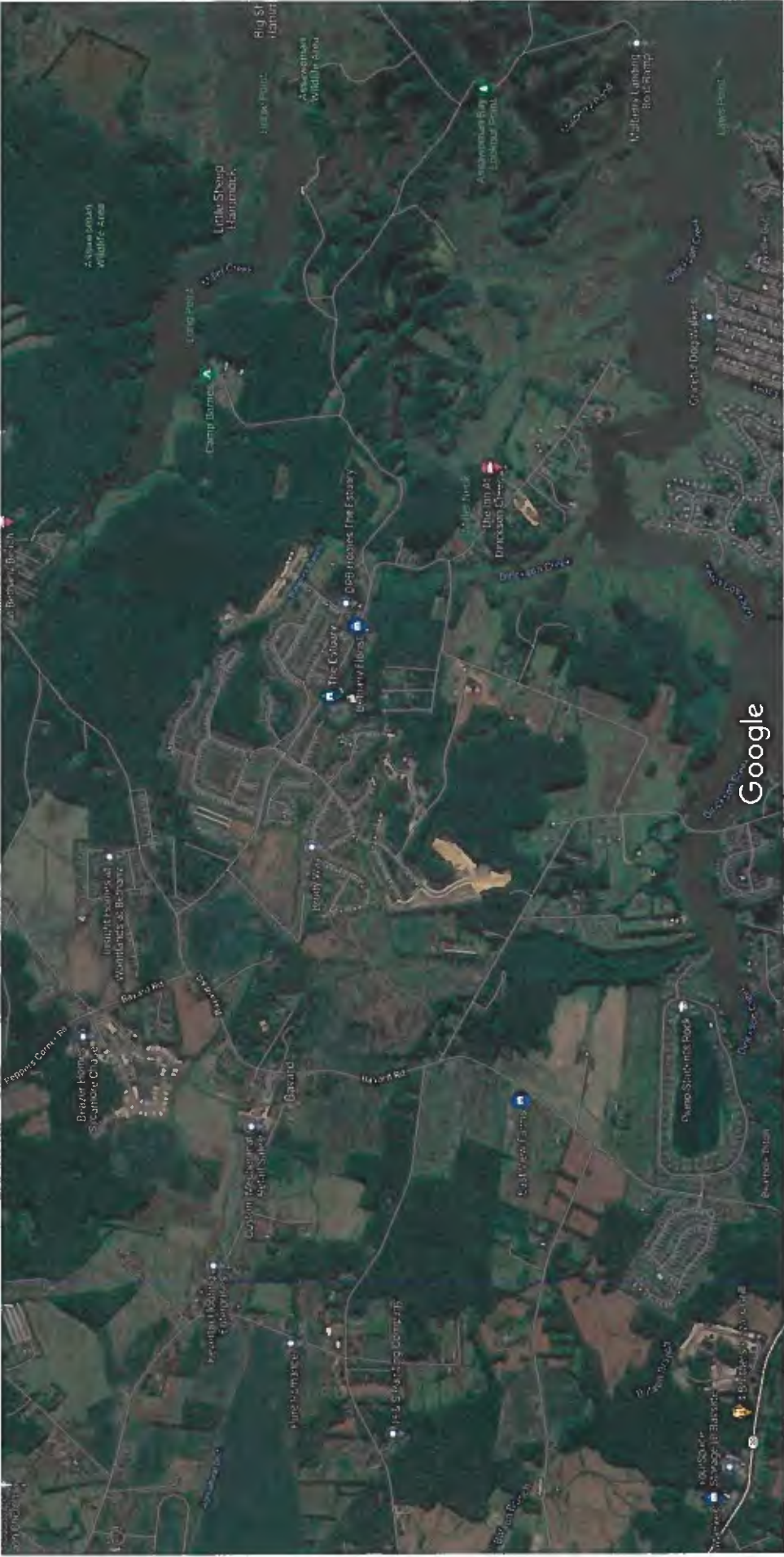
SHEET NO. C1.0
 DATE: NOV 2021
 CHECKED BY: 180153
 DRAWN BY: KK
 SCALE: 1" = 50'

DIRICKSON CREEK ROAD
 SUSSEX COUNTY, DELAWARE

GMIB
 GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SALISBURY, MARYLAND • 550000
 206 WEST MAIN STREET
 SALISBURY, MARYLAND 21801
 410-742-1111
 www.gmibdel.com

NO.	REVISIONS	DATE

PRINTS ISSUED FOR: DRAWINGS STAGE



C/U 2329

PROPOSED FINDINGS

1. The applicant proposes to operate a boat restoration and repair business within a 100 foot by 40 foot accessory building.
2. The parcel consists of 6.46 acres located on southwest side of Derickson Creek Road .23 miles southeast of the intersection of Miller's Neck Road and Derickson Creek Road. The 911 address is 37230 Derickson Creek Road.
2. Under the Sussex County Comprehensive Plan Future Land Use Map, the site is located in the Coastal Area which is a growth and development area. These areas should include light commercial uses convenient to the local residents.
3. The use is consistent with the purposes and goals of the Sussex County Comprehensive Plan Update since it (a) promotes economic development; (b) promotes recreation and tourism; and (c) adds a useful local service to an area of the County surrounded by waterways and boating activities.
4. The proposed Conditional Use with the conditions imposed by the Sussex County Council will not have any adverse effect on the uses or values of area properties, will contribute to the convenience and welfare of the county and its residents and is consistent with the purposes and goals of the Sussex County Zoning Ordinance and Comprehensive Plan Update.

C/U 2329

PROPOSED CONDITIONS

On _____, 2022, the Commission recommended approval with the following conditions:

A. The use shall be limited to the restoration and repair of boats within a 100 by 48 foot accessory building as provided and located on the site plan.

B. A raised berm shall be constructed and planted with evergreens along the frontage of the property.

C. No more than 10 boats on trailers shall be parked on trailers outside of the accessory building in designated areas.

D. Customer business hour shall be by appointment or during the hours of 7 AM to 6PM seven days a week.

E. One lighted and permitted sign shall be at the entrance located on the site plan.

F. One dumpster shall be located on the site plan.

G. All security lighting shall be shielded and downward screened so that it does not shine on neighboring properties or the roadway.

H. No hazard material will be stored on the property.

I. All necessary agency approvals and permitting shall be obtained

J. Final Site Plan shall be subject to review and approval by the Planning and Zoning Commission.

Jamie Whitehouse

CJV2329

From: Dawn McGee <dawnmcgee17@gmail.com>
Sent: Friday, October 21, 2022 2:32 PM
To: Jamie Whitehouse
Subject: 37230 Dirickson Creek Road Frankford

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.

Mr Whitehouse,

My name is Dawn McGee and I reside at the property next to the above property (37272 Dirickson Creek Road, Frankford.) I have received notification that the address above is applying for a change of zoning for a FIBERGLASS boat repair business. They are requesting to change from residential to a conditional business use.

Our neighborhood is on a peninsula surrounded by the bay on all three sides and lots of wetlands. It is also a dead end street where there are plenty of children and lots of bicycles with no crime and not much traffic. We have lots of wildlife including some neighbors raising bees.

I don't think it would be environmentally smart to have a business in the middle of our family neighborhood that spews out fiberglass dust and uses gasoline, diesel and other chemicals. It would just be awful to have to listen to the grinding all day and night and the sound will travel across the bay to other neighborhoods. There would be all kinds of traffic with boats going in and out of the property and possible crime. This peninsula is definitely an environmentally sensitive area and we have lived here for so long with respect and like it how it is.

This business would be uncharacteristic of our neighborhood and in my opinion would be better placed somewhere else.

Thank you,

Dawn McGee
37272 Dirickson Creek Road
Frankford DE
410-430-7822

Michael Lowrey

From: Jeff Laros <jefflaros@icloud.com>
Sent: Monday, October 24, 2022 6:19 PM
To: Planning and Zoning
Subject: Boat restoration business

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.

My name is Jeff Laros I live at 37377 Dirickson Creek rd for 22 years. I do not support a boat restoration business on our residential road . Commercial businesses should be in commercial zones . Thank you Jeff Laros

Sent from my iPhone

Ashley Paugh

CU2329

From: Kelly Bonsack <tkabonsack@aol.com>
Sent: Sunday, October 23, 2022 11:25 AM
To: Planning and Zoning
Subject: 37230 Dirickson Creek Road hearing 11/3/2022

RECEIVED

OCT 24 2022

Categories: Ashley

Opposition
Exhibit

SUSSEX COUNTY
PLANNING & ZONING

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.

To whom it may concern-

I am OPPOSED to the property located at 37230 Dirickson Creek Road 19945 becoming a boat restoration business. I am a neighbor. My opposition to rezoning this property for this purpose would disrupt this very quiet neighborhood road. This business would create unwanted traffic and noise. Noise from this type of business will travel over the water. The increase traffic would increase the risk of crime. The pollutants expressed from this type of business would increase the chances of harming the environment. I will not be able to attend the meeting because I will be out of town.

Thank you for your time and consideration,
Please let me know that you have received this email.

Kelly Bonsack

Ashley Paugh

CIV2329

From: Tom Bonsack <tjbonsack@gmail.com>
Sent: Sunday, October 23, 2022 10:29 AM
To: Planning and Zoning
Subject: 37230 Dirickson Creek Road hearing 11/3/2022

RECEIVED

OCT 24 2022

SUSSEX COUNTY
PLANNING & ZONING

Categories: Ashley

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.

To whom it may concern- I am OPPOSED to this property becoming a boat restoration business. Because I will be away, I am unable to attend the hearing. I am a neighbor and rezoning this property for this purpose would be harmful to what is a very quiet neighborhood road. The business would add unwanted noise and traffic. It also would increase the chances for crime and environmental insult.

Please let me know you receive this email. Thank you.

Regards, Tom Bonsack

Michael Lowrey

From: Carol Greitner <csgtds@yahoo.com>
Sent: Tuesday, October 25, 2022 3:52 PM
To: Planning and Zoning
Cc: Carol Greitner
Subject: Case #clu2329

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.

This is to state my opposition to allowing a boat restoration business on Dirickson Creek Road. This would bring noise, traffic and toxic industrial chemicals to a quiet rural road. A boat restoration business is appropriate for an industrial park; it is not agricultural and should not be located in a residential area bordering a wildlife area.

Sincerely,

Carol S. Greitner, PhD
37453 Dirickson Creek Road
Frankford DE 19945

Sent from my iPhone

Michael Lowrey

From: Robert Luca <rluca7@verizon.net>
Sent: Tuesday, October 25, 2022 6:28 AM
To: Planning and Zoning
Subject: Regarding conditional use of land in an AR-1 Agricultural Residential District for a boat restoration business at 37230 Dirickson Creek Road, Frankford, DE

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.

Dear Planning and Zoning Committee,

Reference: C/U 2329 Thomas Drgon Trustee - An ordinance to grant a conditional use of land in an AR-1 Agricultural Residential District for a boat restoration business at 37230 Dirickson Creek Road, Frankford, DE

As property owners of 37424 Merryman Lane, Frankford, DE, we are writing you to express our opposition to the above referenced request for conditional use for a boat restoration business.

The area under consideration for conditional commercial use is a quiet, residential neighborhood, located on a dead-end street. The area roadway has limited traffic, with no sidewalks, no shoulders, and no street lighting. This roadway is used primarily by its residents to get to and from their homes but also is used for recreation, to include walking, jogging, and biking along Dirickson Creek and nearby Assawoman wildlife area. In addition, the roadway serves as school bus stop for area children. Neither the road/infrastructure nor the immediate/surrounding neighborhoods are conducive to an industrial-type commercial establishment. The proposed enterprise will certainly change the residential character of the area and negatively impact area property values.

It seems unreasonable to us that a savvy business owner would want to pursue this type of commercial enterprise in an established residential neighborhood, among homes and families seeking peace and quiet near preserved land.

Below is the listing of the property on Zillow –

WOW what a remarkable property to build your dream home. 6.2 acres of private land with views of Dirickson Creek, and easy access to Selbyville, Ocean View and Bethany Beach just minutes away. Soil evaluation, survey and septic site plan on file. Tidal and non-tidal wetlands on property. Call today to see this remarkable opportunity!

Source: Zillow, Bright MLS,MLS#: DESU182610

Those of us who are property owners in this area choose the location because of the benefits noted above: privacy, views, and a natural setting providing the opportunity to own residential property in a special area. We are dismayed by the buyer's change in intent for the use of this property, from a 'dream home' to a boat restoration business.

Please deny the request and help the residents maintain our quality of life.

Sincerely,

Lydia M. Luca

Elliott Young

From: niceman512000 <niceman512000@yahoo.com>
Sent: Thursday, October 27, 2022 10:01 AM
To: Planning and Zoning
Subject: Boat restoration business on dirickson creek road 19945

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.

I live at 37453 dirickson creek rd. My name is Henry Altevogt. I oppose the proposed boat restoration business on dirickson creek road. This business with its chemical use will destroy our wells and the air we breath. This business needs to be in an industrial zone. Also the owners of the property never, never cleaned the soil they brought for fill out of the street, not very responsible people.

Sent from my Verizon, Samsung Galaxy smartphone

RECEIVED

OCT 27 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Elliott Young

From: Maria Navarrete <marinavarrete@gmail.com>
Sent: Thursday, October 27, 2022 2:42 PM
To: Planning and Zoning
Subject: BOAT RESTORATION BUSINESS

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.

To whom it may concern,

Hello. My name is Maria Lopez. My Family and I own 6.5 acres on Dirickson Creek Rd, We also are business owners.

We have received notice of a potential Boat Restoration Business moving into our neighborhood. This causes extreme concern for all!! We have five kids, three of them that now have to walk to the beginning of the road to catch the school bus along with other children from our same street. The proposed business would cause a significant increase in undesired traffic to our peaceful street. Furthermore, the air chemicals caused by fiberglass, acetone, etc are cancerous horrible for anybody. Who knows what said chemicals will do once they enter our local streams, farmland, and bays. The potential for an increase in traffic (mostly large trucks that can tow), NOISE, and crime would negatively impact our neighborhood. Please do not let this happen to ALL of the families that call this amazing part of Delaware home.

Thank you for taking time to listen to my concerns for our families.

RECEIVED

OCT 27 2022

SUSSEX COUNTY
PLANNING & ZONING

**Opposition
Exhibit**