

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



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JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: November 3rd, 2022

Application: CU 2335 Joseph Kraft

Applicant: Joseph Kraft
12559 Utica Road
Greenwood, DE 19950

Owner: Joseph Kraft
12559 Utica Road
Greenwood, DE 19950

Site Location: 12559 Utica Road, Greenwood, DE 19950. The property is lying on the northeast side of Utica Road (S.C.R. 632), approximately 0.24 miles southwest of Lighthouse Lane.

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

Proposed Use: Gunsmithing business

Comprehensive Land Use Plan Reference: Low Density Area

Councilmanic District: Ms. Green

School District: Woodbridge School District

Fire District: Greenwood Fire Company

Sewer: Septic

Water: On-site Well

Site Area: 5.12 ac. +/-

Tax Map ID.: 430-6.00-4.03





Sussex County



PIN:	430-6.00-4.03
Owner Name	KRAFT JOSEPH E
Book	5195
Mailing Address	12559 UTICA RD
City	GREENWOOD
State	DE
Description	NE/RD 632
Description 2	3110' N/RD 611
Description 3	PARCEL A
Land Code	

polygonLayer

Override 1

polygonLayer

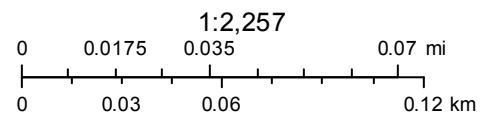
Override 1

Tax Parcels

911 Address

Streets

County Boundaries

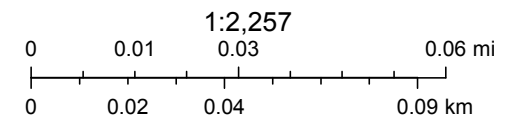


Sussex County



September 30, 2022

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



Sussex County Government, Sussex County Mapping and Addressing, Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap,

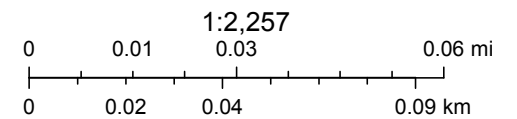
Sussex County



September 30, 2022

- Override 1
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- Tax Parcels
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- Agricultural Residential - AR-1
- 911 Address
- Streets

- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP



Sussex County, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastyrrelsen, Rijkswaterstaat, GSA,

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Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mx. Jesse Lindenberg, Planner I
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: October 25th, 2022
RE: Staff Analysis for CU 2335 Joseph Kraft

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2335 Joseph Kraft to be reviewed during the November 3rd, 2022, Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 430-6.00-4.03 to allow for a gunsmithing business. The property is lying on the east side of Utica Road, approximately 0.24 miles southwest of Lighthouse Lane. The parcel consists of 5.12 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Low Density." The adjoining parcels to the north, west, east, and south also have a Future Land Use Map designation of "Low Density".

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density Areas are intended to support agricultural uses and low-density single-family housing. Specifically, the Comprehensive Plan states that single family homes have a density of up to two dwelling units to the acre. It is envisioned that the Low-Density Areas allow for businesses that support nearby residents and the agricultural economy. More intense commercial uses could be limited in scale and impact. While residential growth is expected, the Comprehensive Plan intends for the rural landscape to be maintained and for farmland to be preserved in select locations.

Zoning Information

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



Existing Conditional Uses within the Vicinity of the Subject Property

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

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

File #: CU 2335

202118484

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

12559 Utica Road

Type of Conditional Use Requested:

Home business in the dealings with gunsmithing and small arms ammunition reloading and loading.

Tax Map #: 4-30 6.00 4.03

Size of Parcel(s): 5.12 acres

Current Zoning: AR-1

Proposed Zoning: NA

Size of Building: 30'x24'

Land Use Classification: Residential

Water Provider: Well

Sewer Provider: Septic

Applicant Information

Applicant Name: Joseph Kraft

Applicant Address: 12559 Utica Road

City: Greenwood

State: DE

Zip Code: 19950

Phone #: (443) 299-8602

E-mail: jkraft0507@gmail.com

Owner Information

Owner Name: Joseph Kraft

Owner Address: 12559 Utica Road

City: Greenwood

State: DE

Zip Code: 19950

Phone #: (443) 299-8602

E-mail: jkraft0507@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: N/A

Agent/Attorney/Engineer Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ___ Completed Application
- ___ Provide eight (8) copies of the Site Plan or Survey of the property
 - o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - o Provide a PDF of Plans (may be e-mailed to a staff member)
 - o Deed or Legal description
- ___ Provide Fee \$500.00
- ___ Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- ___ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.
- ___ DeIDOT Service Level Evaluation Request Response
- ___ PLUS Response Letter (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 12/20/21

Signature of Owner

_____ Date: 12/20/21

For office use only:

Date Submitted: 12/20/21 Fee: \$500.00 Check #: _____
Staff accepting application: JN Application & Case #: 202118484
Location of property: _____

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



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 77B
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

July 12, 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 **Joseph Kraft** proposed land use application, which we received on June 30, 2021. This application is for an approximately 5.12-acre parcel (Tax Parcel: 430-6.00-4.03). The subject land is located on the north side of Utica Road (Sussex Road 632). The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks to operate a business selling firearms.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Utica Road is 276.

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.

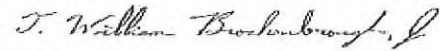
If the County approves this application, the applicant should be reminded that DeIDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



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

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

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Joseph Kraft, 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 Furrato, Project Engineer, Development Coordination

PLANNING & ZONING
Jamie Whitehouse, AICP, MRTPI
Director
(302) 855-7878 T
(302) 854-5079 F



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Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 12/20/21

Site Information:

Site Address/Location: 12559 Utica Road, Greenwood, DE 19950

Tax Parcel Number: 4-30 6.00 4.03

Current Zoning: AR-1

Proposed Zoning: n/a

Land Use Classification: residential

Proposed Use(s): small business in sale of gunsmithing, and
ammunition reloading and loading

Square footage of any proposed buildings or number of units: 24'x30'

Applicant Information:

Applicant's Name: Joseph Kraft

Applicant's Address: 12559 Utica Road

City: Greenwood State: DE Zip Code: 19950

Applicant's Phone Number: (443) 299-8602

Applicant's e-mail address: jkraft0507@gmail.com



**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: CU 2335 Joseph Kraft

APPLICANT: Joseph Kraft

FILE NO: **WSPA-5.02**

TAX MAP &
PARCEL(S): **430-6.00-4.03**

LOCATION: lying on the northeast side of Utica Road (S.C.R. 632), approximately 0.24 miles southwest of Lighthouse Lane

NO. OF UNITS: **Gunsmith Business**

GROSS
ACREAGE: **5.20**

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 4**

(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: **Conditional use for gunsmith business.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (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

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
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JAMIE WHITEHOUSE, MRTPI, AICP
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PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 3rd, 2022

Application: CU 2335 Joseph Kraft

Applicant: Joseph Kraft
12559 Utica Road
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Owner: Joseph Kraft
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School District: Woodbridge School District

Fire District: Greenwood Fire Company

Sewer: Septic

Water: On-site Well

Site Area: 5.12 ac. +/-

Tax Map ID.: 430-6.00-4.03





Sussex County



PIN:	430-6.00-4.03
Owner Name	KRAFT JOSEPH E
Book	5195
Mailing Address	12559 UTICA RD
City	GREENWOOD
State	DE
Description	NE/RD 632
Description 2	3110' N/RD 611
Description 3	PARCELA
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

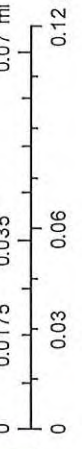
Tax Parcels

911 Address

Streets

County Boundaries

1:2,257



Sussex County



September 30, 2022

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

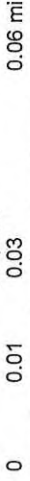
Sussex County



September 30, 2022

- Override 1
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- Tax Parcels
- Agricultural Residential - AR-1
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- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
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- Vacation, Retire, Resident - VRP

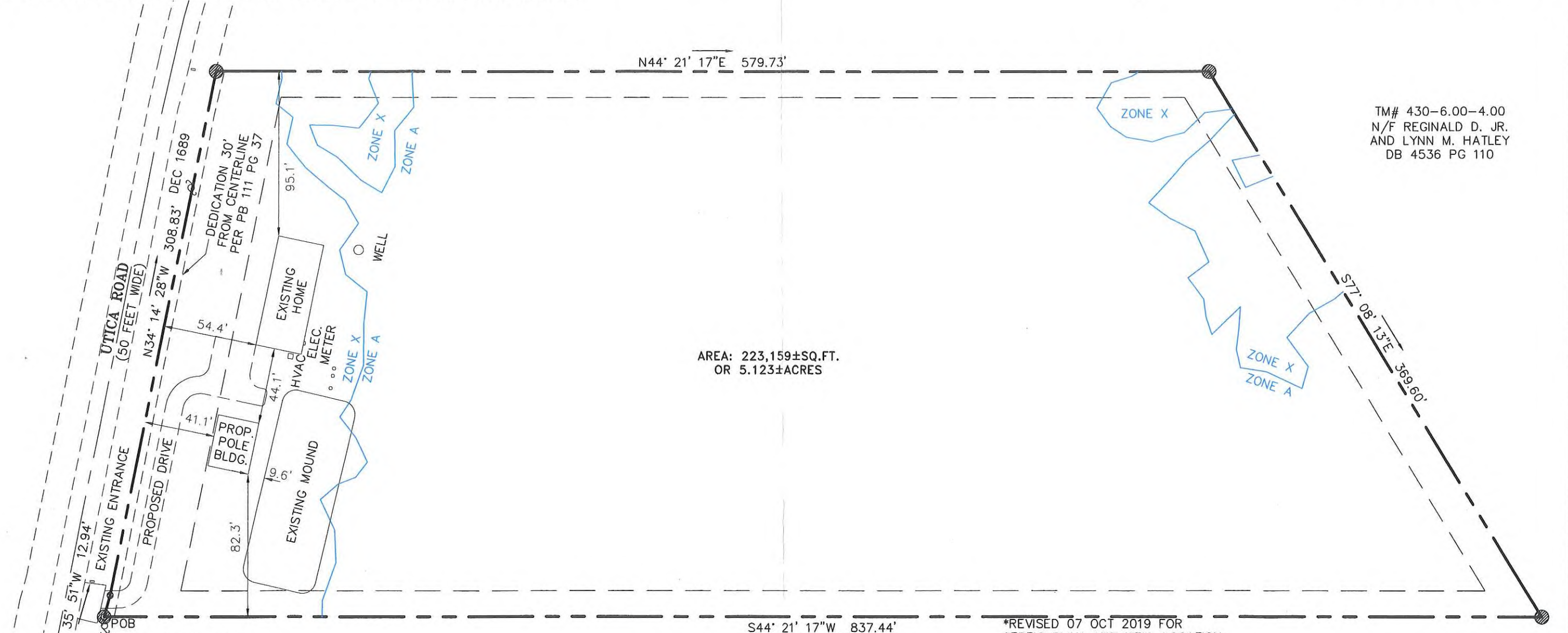
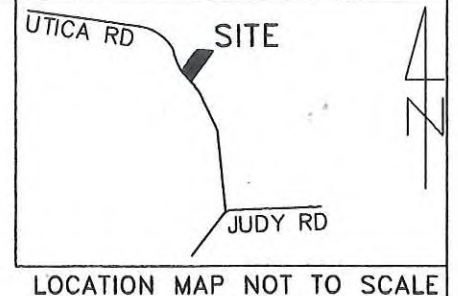
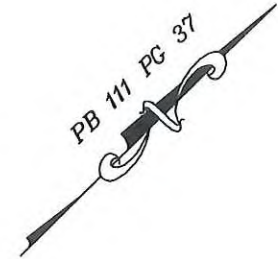
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Sussex County, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasyrielsen, Rijkswaterstaat, GSA,

PLAN DATA:

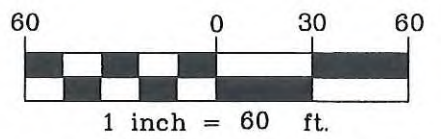
- TITLE REFERENCED TO:
 TM# 430-6.00-4.03, DB 1654, PG 73, PB 111 PG 37
 UTICA ROAD GREENWOOD, DELAWARE 19950
 NANTICOKE HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
- NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAT.
- THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORDER OF DEEDS.
- ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING, ZONING IS AR-1 AND SETBACKS ARE: F-40, S-15, AND R-20.
- SEPTIC AND WELL LOCATION BASED ON CONCEPT PLAN BY COTTEN ENGINEERING, INC.



AREA: 223,159±SQ.FT.
OR 5.123±ACRES

TM# 430-6.00-4.00
N/F REGINALD D. JR.
AND LYNN M. HATLEY
DB 4536 PG 110

- *REVISED 07 OCT 2019 FOR SEPTIC PLAN AND WELL LOCATION
- *REVISED 12 DEC 2019 TO SHOW THE EXISTING FLOOD ZONE A
- *REVISED 19 DEC 2019 TO SHOW THE EXISTING HOME AND MOUND AND THE REVISED DRIVEWAY



- LEGEND:**
- IRON PIPE FOUND
 - CORNER NOT MARKED
 - CAPPED IRON PIN FOUND
 - UTILITY POLE
 - EXISTING PROPERTY LINE
 - ADJOINING PROPERTY LINE
 - BUILDING RESTRICTION LINE
 - ROAD EDGE
 - ROAD CENTERLINE
 - FENCE
 - BOTTOM OF BANK
 - TOP OF BANK

I, ALAN O'DALE KENT REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.



ALAN O'DALE KENT, P.L.S.#738, DATE 19 Dec 2019

JOB # 2019172		THIS IS A SUBURBAN SURVEY BOUNDARY SURVEY AND SITE PLAN FOR CMH HOMES, INC. OF THE LANDS NOW OR FORMERLY OF CHARLES A. ANDERSON PREPARED BY ALAN O KENT LAND SURVEYING, LLC SEAFORD, DE 19973 (302) 745-1735
DATE OF PLAN 19 DEC 2019	DATE OF FIELD WORK 18 DEC 2019	