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**Sussex County**

DELAWARE  
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## PLEASE NOTE

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

**PLANNING & ZONING COMMISSION**

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KIM HOEY STEVENSON, VICE-CHAIRMAN  
R. KELLER HOPKINS  
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**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date: April 28<sup>th</sup>, 2022

Application: CU 2341 Caden Oplinger

Applicant: Caden Oplinger  
7465 Shawnee Road  
Milford, DE 19963

Owner: Caden Oplinger  
7465 Shawnee Road  
Milford, DE 19963

Site Location: Lying on the west side of Dupont Boulevard (Rt. 113), approximately 0.33 miles north of Wilson Hill Rd. (S.C.R. 244).

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

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

Comprehensive Land Use Plan Reference: Low Density

Councilmanic District: Ms. Green

School District: Milford School District

Fire District: Carlisle Fire Department

Sewer: N/A

Water: N/A

Site Area: 20.00 acres +/-

Tax Map IDs.: 130-6.00-22.00



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## Memorandum

To: Sussex County Planning Commission Members  
From: Jesse Lindenberg, Planner I  
CC: Vince Robertson, Assistant County Attorney  
Date: March 29, 2022  
RE: Staff Analysis for CU 2341 Caden Oplinger

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2341 Caden Oplinger to be reviewed during the April 28, 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 130-6.00-22.00 to allow for a conditional Use of land in an Agricultural Residential Zoning (AR-1) District for a farm tractor and truck repair shop. The property is lying on the southeast side of Shawnee Road (Rt. 36), 0.23 miles south of Abbotts Pond Road (S.C.R. 620). The size of the property is approximately 20.00 acres +/-.

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 "Low Density". The properties to the north, south, east, and west also have the land use 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.

The property is zoned Agricultural Residential (AR-1) Zoning District. The adjacent parcels to the north, south, east, and west are all zoned Agricultural Residential (AR-1) Zoning District. Properties further north and east are zoned General Residential (GR) Zoning District.

Since 2011, there have been three (3) Conditional Use applications within a 1-mile radius of the application site. The first application is Conditional Use 1909 Thomas P. Collins to allow for a beauty salon. This application was approved by the Sussex County Council on Tuesday, September 20<sup>th</sup>, 2011, and this change was adopted through Ordinance No. 2220. The second application is Conditional Use 1935 John Herholdt to allow for a family electrical business and butcher shop. This application was approved by the Sussex County Council on Tuesday, August 21<sup>st</sup>, 2012, and this change was adopted through Ordinance No. 2274. The third application is Conditional Use



2081 Rafael Arias for a used car sales and computer repair business. This application was withdrawn.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for a farm tractor and truck repair shop subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CU 2241  
202200486

# 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

JAN 13 2022

SUSSEX COUNTY  
PLANNING & ZONING

**Type of Application: (please check applicable)**

Conditional Use

Zoning Map Amendment

**Site Address of Conditional Use/Zoning Map Amendment**

Shawnee Road, Milford DE 19963

**Type of Conditional Use Requested:**

Farm tractor/truck repair shop.

**Tax Map #:** 130-6.00-22.00

**Size of Parcel(s):** 20 acres

**Current Zoning:** AR1

**Proposed Zoning:** AR1

**Size of Building:** 4800 sq. ft.

**Land Use Classification:** \_\_\_\_\_

**Water Provider:** Private well

**Sewer Provider:** Septic

**Applicant Information**

Applicant Name: Caden Oplinger

Applicant Address: 7465 Shawnee Road

City: Milford

State: DE

Zip Code: 19963

Phone #: 3023934858

E-mail: Coplinge6@gmail.com

**Owner Information**

Owner Name: Caden Oplinger

Owner Address: 7465 Shawnee Road

City: Milford

State: DE

Zip Code: 19963

Phone #: 3023934858

E-mail: Coplinge6@gmail.com

**Agent/Attorney/Engineer Information**

Agent/Attorney/Engineer Name: \_\_\_\_\_

Agent/Attorney/Engineer Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_

E-mail: \_\_\_\_\_



# Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

\_\_\_ Completed Application

\_\_\_ Provide eight (8) copies of the Site Plan or Survey of the property

- 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

Caden Plinger

Date: 1/13/2022

Signature of Owner

Caden Plinger

Date: 1/13/2022

For office use only:

Date Submitted: 1/13/22

Staff accepting application: Cez

Location of property: \_\_\_\_\_

Fee: \$500.00 Check #: 1501

Application & Case #: 202200486

Subdivision: \_\_\_\_\_

Date of PC Hearing: \_\_\_\_\_

Date of CC Hearing: \_\_\_\_\_

Recommendation of PC Commission: \_\_\_\_\_

Decision of CC: \_\_\_\_\_

**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**UTILITY PLANNING & DESIGN REVIEW DIVISION**  
**C/U & C/Z COMMENTS**

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **4/4/2022**

APPLICATION: **CU 2341 Caden Oplinger**

APPLICANT: **Caden Oplinger**

FILE NO: **WS-4.06**

TAX MAP &  
PARCEL(S): **130-6.00-22.00**

LOCATION: **Lying on the east side of Shawnee Road (Rt. 36),  
approximately 900 feet south of Abbotts Pond Road (SCR 620).**

NO. OF UNITS: **Farm Tractor and Truck Repair Shop**

GROSS  
ACREAGE: **20.00**

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 4**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **The Sussex County Engineering does not have a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

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





-Example of the earth-toned color scheme for the proposed shed so it will blend into the natural surroundings.

