

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: February 9th, 2023

Application: CU 2374 Jose Netto & Karyne DeSilva

Applicant: Jose Netto & Karyne DeSilva
36378 Tall Grass Court
Lewes, DE 19958

Owner: Jose Netto
36378 Tall Grass Court
Lewes, DE 19958

Site Location: Northwest side of John J Williams Hwy (Rt. 24), approximately 0.38-
miles southwest of Mulberry Knoll Rd. (S.C.R. 284)

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

Proposed Use: Esthetician Business to be operated within an existing residential
structure.

Comprehensive Land
Use Plan Reference: Commercial

Councilmanic
District: Mr. Mark Schaeffer

School District: Cape Henlopen School District

Fire District: Lewes Fire Co.

Sewer: Sussex County Unified Sanitary Sewer District

Water: Sussex County

Site Area: 1 acre +/-

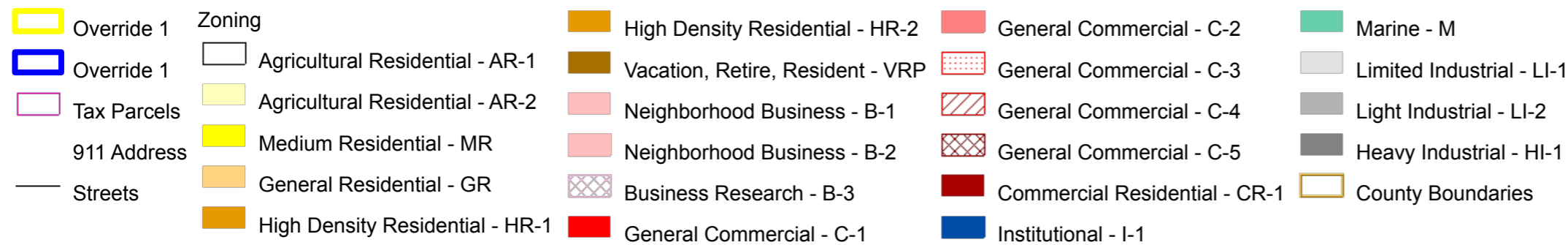
Tax Map ID.: 334-12.00-23.00



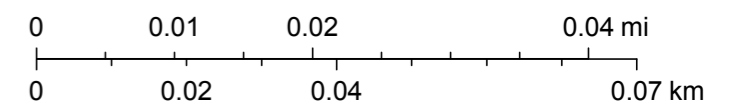
Sussex County



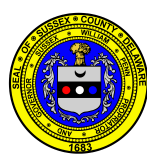
January 13, 2023



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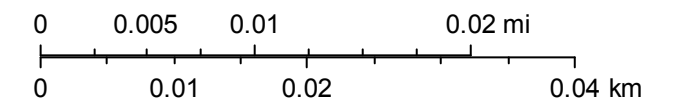
Maxar, Microsoft, Sussex County, Sussex County Government, Sussex County Mapping and Addressing



PIN:	334-12.00-23.00
Owner Name	NETTO JOSE
Book	5521
Mailing Address	36378 TALL GRASS CT
City	LEWES
State	DE
Description	NW/JOHN J WILLIAMS HWY
Description 2	N/A
Description 3	N/A
Land Code	

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







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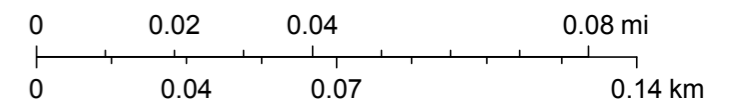
Sussex County



January 13, 2023

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

1:2,257



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Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mr. Elliott Young, Planner I
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: January 23, 2023
RE: Staff Analysis for CU 2374 Jose Netto & Karyne DeSilva

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 2374 Jose Netto & Karyne DeSilva to be reviewed during the February 9th, 2023, 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: 334-12.00-23.00, to allow for an esthetician business to be located off John J Williams Hwy (Rt. 24), Lewes, Delaware. The property is lying on the west side of John J Williams Highway, approximately 0.38-miles southeast of the intersection of John J Williams Highway and Mulberry Knoll Road (S.C.R. 284). The parcel consists of 0.28-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 "Commercial Area." The adjoining parcels to the west and east also has a Future Land Use Map designation of "Commercial Area". The parcels to the south across John J Williams Highway (Rt. 24) also have a Future Land Use Map designation of "Commercial".

Commercial Areas include concentrations of retail and service uses that are mainly located along arterials, and highways. As opposed to small, traditional downtown areas that are often historic and pedestrian-friendly, Commercial Areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic. In addition to primary shopping destinations, this area would also be the appropriate place to locate hotels, motels, car washes, auto dealerships, and other medium and larger scale commercial uses not primarily targeted to the residents of immediately adjacent residential areas. These more intense uses should be located along main roads or near major intersections. Institutional and commercial uses may be appropriate depending on surrounding uses. Mixed-use buildings may also be appropriate for these areas

The adjoining parcel to the north of the subject parcels contains the Future Land Use Map designation of "Coastal Area" and "Commercial".



As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided 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 also 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.

Zoning Information

The subject property is zoned Agricultural Residential (AR-1) District. All adjacent properties to the north, west, and east of the subject property are zoned Agricultural Residential (AR-1) District. The parcels to the south of the subject property, on the opposite side of John J Williams Highway, are also zoned Agricultural Residential (AR-1) District.

Existing Conditional Uses within the Vicinity of the Subject Property

Since 2011, there have been five (5) Conditional Use applications within a half (0.5) mile radius of the application site. Five (5) out of the five (5) applications were approved by the County Council, while one (1) of the five (5) has yet to receive an official Ordinance Number. Below is a table with the five applications and their associated information.

Conditional Use No.	Applicant	Use	Zoning	CC Approval Date	Ordinance No.
2318	V & M, LLC	Convenience store & Office building	AR-1	5/17/2022	N/A
2240	Tidewater Utilities Inc.	Elevated Storage Tank	AR-1	11/10/2020	2751
2059	Julie Norwood	Beauty Salon	AR-1	10/25/2016	2478
2016	Cape Henlopen School District	Elementary School	AR-1	6/16/2015	2402
2015	Delaware Division of Facilities Management	Public Service Facility (State Police Troop)	AR-1	6/16/2015	2401

Based on the analysis provided, the Conditional use to allow for an esthetician 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 2374

20220847

RECEIVED

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

JUN 08 2022

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)

Conditional Use
Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

20036 John J. Williams Hwy, Lewes, DE 19958

Type of Conditional Use Requested:

For operation of an Esthetician Business to be operated in part of the existing residential structure pursuant to Section 115-22 of the Code.

Tax Map #: 334-12.00-23.00 Size of Parcel(s): 1 acre +/-

Current Zoning: AR-1 Proposed Zoning: CU Size of Building: N/A

Land Use Classification: Commercial/ Coastal Area

Water Provider: ? Sewer Provider: Sussex County

Applicant Information

Applicant Name: Jose Netto & Karyne DeSilva and/or assigns
Applicant Address: 36378 Tall Grass Court
City: Lewes State: DE Zip Code: 19958
Phone #: (443) 497-9204 E-mail: netto.21@aol.com

Owner Information

Owner Name: Jose Netto
Owner Address: 36378 Tall Grass Court
City: Lewes State: DE Zip Code: 19958
Phone #: (443) 497-9204 E-mail: netto.21@aol.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Baird Mandalas Brockstedt LLC c/o Mackenzie Pect, Esq.
Agent/Attorney/Engineer Address: 1413 Savannah Road, Suite 1
City: Lewes State: DE Zip Code: 19958
Phone #: (302) 645-2262 E-mail: mackenzie@bmbde.com



Check List for Sussex County Planning & Zoning Applications

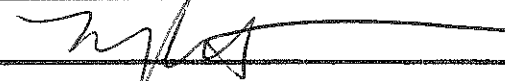
The following shall be submitted with the application

- 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.
- 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.

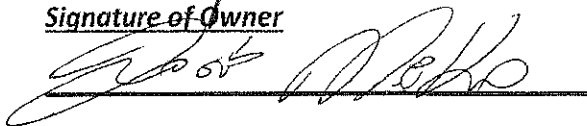
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future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

Signature of Applicant/Agent/Attorney



Date: 6/3/22

Signature of Owner



Date: 6/03/22

For office use only:

Date Submitted: 6/8/22

Fee: \$500.00 Check #: 6244

Staff accepting application: AL

Application & Case #: 202208417

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: 20036 John J. Williams IIwy, Lewes, DE 19958

Parcel #: 334-12.00-23.00

Site Address: See above

Parcel #: _____

Applicant Name: Jose Netto & Karyne DaSilva and/or assigns

Owner Name: Jose Netto

Type of Application:

Conditional Use:
Change of Zone:
Subdivision:
Board of Adjustment:

Date Submitted: 6/3/22

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____

List created by: _____

Date letters mailed: _____

Letters sent by: _____

File #: _____

Planning & Zoning Project Contact List

Applicant Information

Applicant Name: Jose Netto & Karyne DaSilva and/or assigns
Applicant Address: 36378 Tall Grass Court
City: Lewes State: DE Zip: 19958
Phone #: (443) 497-9204 E-mail: netto.21@aol.com

Owner Information

Owner Name: Jose Netto
Owner Address: 36378 Tall Grass Court
City: Lewes State: DE Zip: 19958
Phone #: (443) 497-9402 E-mail: netto.21@aol.com

Engineer/Surveyor Information

Engineer/Surveyor Name: Foresight Services
Engineer/Surveyor Address: 2103A Coastal Highway
City: Dewey Beach State: DE Zip: 19971
Phone #: (302) 226-2229 E-mail: Stephen@foresightservices.com

Agent/Attorney Information

Agent/Attorney/Name: Baird Mandalas Brockstedt LLC c/o Mackenzie Peet, Esq.
Agent/Attorney/Address: 1413 Savannah Road, Suite 1
City: Lewes State: DE Zip: 19958
Phone #: (302) 645-2262 E-mail: mackenzie@bmbde.com

Other

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





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

NICOLE MAJESKI
SECRETARY

April 27, 2022

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 **Jose Netto & Karyne DaSilva** proposed land use application, which we received on April 1, 2022. This application is for an approximately 0.29- acre parcel (Tax Parcel: 334-12.00-23.00). The subject land is located on the northwest side of John J. Williams Highway (Delaware Route 24) approximately 1,900 feet south of the intersection with Mulberry Knoll Road (Sussex Road 284). The subject land is currently zoned AR-1 (Agriculture Residential), and the applicant seeks a conditional use approval to operate an esthetician business.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J Williams Highway from Warrington Road (Sussex Road 275) to Camp Arrowhead Road (Sussex Road 279), are 19,793 and 25,451 vehicles per day, respectively.

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.

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the



Mr. Jamie Whitehouse
Page 2 of 2
April 27, 2022

Development Coordination Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For developments that are consistent with the Land Use and Transportation Plan (LUTP) developed for the TID, the applicant is required to pay a fee in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed development is consistent with the LUTP, therefore, the developer will be required to pay the TID fee as stated above if there is new building square footage. Any improvements required by DeIDOT beyond the site entrance construction will be creditable toward the fee.

The applicant should contact Ms. Sarah Coakley, Principal Planner in DeIDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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.

Please contact Ms. Annamaria Furrato, at Annamaria.Furrato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



Claudy Joinville
Project Engineer
Development Coordination

CJ:afm

cc: Jose Netto & Karyne DaSilva, Applicant
Michael Lowrey, Sussex County Planning & Zoning
David Edgell, State Planning Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Sarah Coakley, Principal Planner, Regional Systems Planning Section,
T. William Brockenbrough, County Coordinator, 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
Annamaria Furrato, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **1/13/2022**

APPLICATION: **CU 2374 Jose Netto & Karyne DeSilva**

APPLICANT: **Jose Netto & Karyne DeSilva**

FILE NO: **OM-9.04**

TAX MAP &
PARCEL(S): **334-12.00-23.00**

LOCATION: **Northwest side of John J. Williams Highway (Rt. 24),
approximately 0.38 miles southwest of Mulberry Knoll Road
(SCR 284)**

NO. OF UNITS: **Esthetician Business to be operated within an existing
residential structure**

GROSS
ACREAGE: **1.0**

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? **Choose an item.** If yes, how many? **Click or tap here to enter text..** Is it likely that additional SCCs will be required? **Choose an item.**

If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Christine Fletcher** 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? **N/A**

(8). Comments: **Applicant will need to install valve and lateral to connect to forcemain to obtain service and operate and maintain a privately owned grinder pump.**

(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:

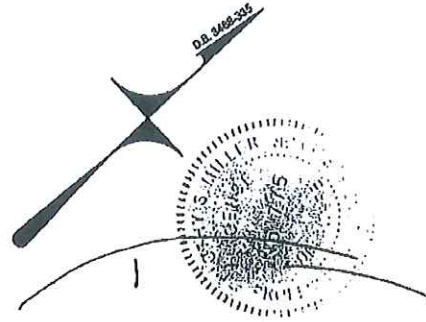
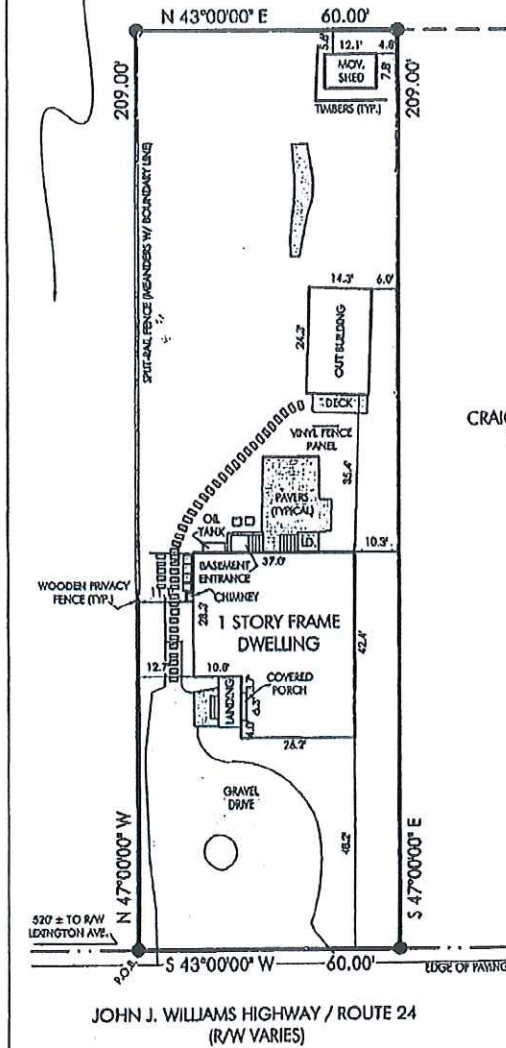


John J. Ashman
Director of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.
Lisa Walls
Christine Fletcher

T.M. #3-34-12.00-23.00

LANDS N/F
J.G. TOWNSEND, JR. & CO.



LEGEND:

● IRON PIPE (FOUND)

NOTES:

ALL RESTRICTIONS MUST BE VERIFIED BY THE HOME OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT SUSSEX COUNTY. THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY. NO TITLE SEARCH PROVIDED OR STIPULATED. SURVEY CLASS: SUBURBAN

LANDS N/F
CRAIG & ERINANN BEEBE
D.B. 5332-215

BOUNDARY SURVEY PLAN FOR
JOSE NETTO
TOTAL AREA: 12,540 SQ. FT.
DEED REFERENCE: BOOK 3488, PAGE 335
20036 JOHN J. WILLIAMS HIGHWAY, LEWES
LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
FEBRUARY 14, 2022 SCALE: 1" = 30'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2237 phone 302 226 2239 fax 2102A Coastal Highway Dewey Beach, DE 19921



BAIRD
MANDALAS
BROCKSTEDT LLC

Exhibit A

Property and Deed Information

PARID: 334-12.00-23.00
 NETTO JOSE

ROLL: RP
 20036 JOHN J WILLIAMS HWY

Property Information

Property Location: 20036 JOHN J WILLIAMS HWY
 Unit:
 City: LEWES
 Zip: 19958
 State: DE
 Class: RES-Residential
 Use Code (LUC): RS-RESIDENTIAL SINGLE FAMILY
 Town: 00-None
 Tax District: 334 - LEWES REHOBOTH
 School District: 6 - CAPE HENLOPEN
 Council District: 3-Schaeffer
 Fire District: 82-Lewes
 Deeded Acres: .2879
 Frontage: 60
 Depth: 209.000
 Irr Lot:
 Plot Book Page: /PB
 100% Land Value: \$3,000
 100% Improvement Value: \$23,100
 100% Total Value: \$26,100

Legal

Legal Description: HWY LEWES TO MILLS
 VIA LOVE CREEK BR

Owners

Owner	Co-owner	Address	City	State	Zip
NETTO JOSE		36378 TALL GRASS CT	LEWES	DE	19958

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
03/11/2022	5660/301	\$355,000.00			NETTO JOSE
08/22/2007	3488/335	\$235,000.00	\$3,525.00	0	
05/23/1998	/	\$75,000.00	\$1,500.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	NETTO JOSE		36378 TALL GRASS CT	LEWES	DE	19958	5660/301
2021	NETTO JOSE		36378 TALL GRASS CT	LEWES	DE	19958	5660/301
2020	BRITTON JAMIE	LAYLA BRITTON	41 BUGLER DR	NEW OXFORD	PA	17350	3488/335
2019	BRITTON JAMIE	LAYLA BRITTON	41 BUGLER DR	NEW OXFORD	PA	17350	3488/335
2018	BRITTON JAMIE	LAYLA BRITTON	41 BUGLER DR	NEW OXFORD	PA	17350	3488/335
2017	BRITTON JAMIE	LAYLA BRITTON	41 BUGLER DR	NEW OXFORD	PA	17350	3488/335
2012	BRITTON JAMIE		LAYLA BRITTON 41 BUGLER DR	NEW OXFORD	PA	17350	3488/335
2008	BRITTON JAMIE LAYLA BRITTON		41 BUGLER DR	NEW OXFORD	PA	17350	3488/335
2007	ROTH PAUL R CATHERINE ROTH		20036 JOHN J WILLIAMS HWY	LEWES	DE	19958	3357/249
2006	ROTH PAUL R		147 ROUTE 24	LEWES	DE	19958	2200/180
1900	LLEWELLYN DAVID W MAE D					0	467/370

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag
1	RES	RS	60	209	.2879	

Land Summary

Line 1
100% Land Value 3,000

Residential

Card 1
Class Residential
Style Single Family
Year Built 1956
Occupancy 1
Stories 1.00
Basement 0-None
Total Fixtures 3
Heating 54 - Heat - Steam/Hot Water
Air Condition DN - A/C None
Electricity 3-Public
Foundation 31 - Foundation - Masonry
Exterior Wall 1-Frame or Block
Siding 3-Aluminum/Vinyl
Roof Type 2-Gable
Roofing 21 - Roofing - Wood
Elevator -
Width
Depth/Length
Color
Description
MH Skirting
MH Permit #
MH Serial #

Additions

Card #	Addition #	Area
1	0	1,036
1	1	212
1	2	136
1	3	56

Addition Details

1 of 4

Card # 1
Addition # 0
Lower -
First -
Second -
Third -
Area 1,036
Year Built 1956

Outbuildings

Card	Line #	Code	Width	Length	Diameter	Area
1	1	UA3-UTILITY AVG 201-300	20	14	0	280

100% Values

100% Land Value	100% Improv Value	100% Total Value
\$3,000	\$23,100	\$26,100

50% Values

50% Land Value	50% Improv Value	50% Total Value
----------------	------------------	-----------------

\$1,500

\$11,550

\$13,050

Permit Details

Permit Date:	Permit #:	Amount:	Note 1
09-APR-2008	67712-5	\$0	GROUND SIGN-HWY LEWES-MILLSBORO
28-DEC-2007	67712-4	\$5,000	INTERIOR REMODEL-HWY LEWES-MILLS
16-MAY-2005	67712-2	\$25,368	ADDITION/DET BLDG-LOVE CREEK BR
16-MAY-2005	67712-3	\$0	ADDITION/DET BLDG-LOVE CREEK BR
13-OCT-1982	67712-1	\$7,000	ENCL. PORCH-W/24 2000' S/284

Electronically Recorded Document# 2022000012771 BK: 5660 PG: 301
Recorder of Deeds, Scott Dailey On 3/11/2022 at 2:36:16 PM Sussex County, DE
Consideration: \$355,000.00 County/Town: \$5,325.00 State: \$8,875.00 Total: \$14,200.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX PARCEL #: 3-34 12.00 23.00
PREPARED BY:
Hudson Jones Jaywork & Fisher
309 Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. NETTO-P-21/JPB

RETURN TO:
Jose Netto
36378 Tall Grass Court
Lewes, DE 19958

THIS DEED, made this 11th day of March, 2022,

- BETWEEN -

JAMIE BRITTON and LAYLA BRITTON, of 573 Spangler School Road, Gettysburg, PA 17325, parties of the first part,

- AND -

JOSE NETTO, of 36378 Tall Grass Court, Lewes, DE 19958, as sole owner, 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 his 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 or parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex County, Delaware, lying on the Northwest side of Route 24, and being more particularly described according to a Boundary Survey Plan for Jose Netto prepared by Foresight Services Surveying and Precision Measurements, dated February 14, 2022, to wit:

BEGINNING at a point on the northwest side of Route 24 at a corner for this lot and for other lands now or formerly of Craig and Erinann Beebe, said point situate 580 feet, more or less, northwest of the intersection of John J. Williams Highway/Route 24 and Lexington Avenue, and being 15 feet northwest of the right of way line of the aforesaid John J. Williams Highway, Route 24; thence from this point of beginning running parallel with the right of way line of Route 24, South 43 degrees 00 minutes 00 seconds West 60.00 feet to a point, said point situate 520 feet, more or less, northwest of the intersection of John J. Williams Highway/Route 24 and Lexington Avenue, and being 15 feet northwest of the right of way line of the aforesaid John J. Williams Highway, Route 24; thence turning and running with the line of lands now or formerly

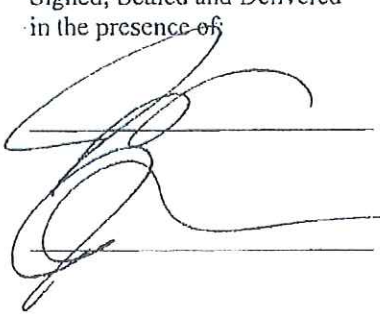
J.G. Townsend, Jr. & Co., North 47 degrees 00 minutes 00 seconds West 194.00 feet to a well point found; thence turning and containing to run with the aforesaid J.G. Townsend, Jr. & Co. lands North 43 degrees 00 minutes 00 seconds and 60.00 feet to iron pipe set; thence turning and running with the line of lands now or formerly of Craig and Erinann Beebe, South 47 degrees 00 minutes 00 seconds East 194.00 feet to the pipe found at the point and place of beginning, said to contain 11,640 square feet of land, more or less, together with any and all improvements located thereon.


BEING the same property conveyed to Jamie Britton and Layla Britton from Paul R. Roth and Catherine Roth, by deed dated August 20, 2007, and recorded on August 22, 2007, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

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.

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



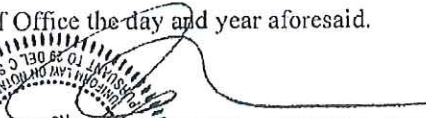

_____ (SEAL)
Jamie Britton


_____ (SEAL)
Layla Britton


STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on March 7, 2022, personally came before me, the subscriber, Jamie Britton and Layla Britton, 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 of Office the day and year aforesaid.



My Commission Expires: _____

A circular notary seal for James Beckner, Notary Public, State of Delaware. The seal contains the text: "NOTARY PUBLIC", "JAMES BECKNER", "STATE OF DELAWARE", "COMMISSION EXPIRES 12/31/2022", and "151".



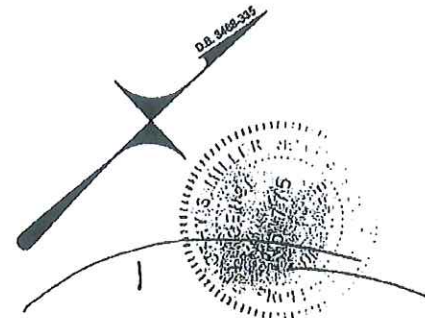
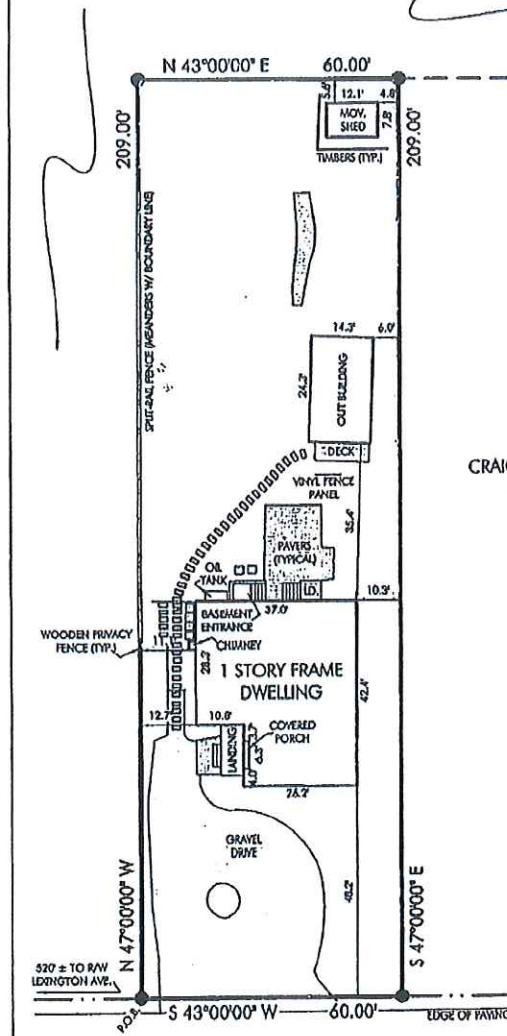
BAIRD
MANDALAS
BROCKSTEDT LLC

Exhibit B

Survey

T.M. #3-34-12.00-23.00

LANDS N/F
J.G. TOWNSEND, JR. & CO.



LEGEND:

● IRON PIPE (FOUND)

NOTES:

ALL RESTRICTIONS MUST BE VERIFIED BY THE HOME OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT SUSSEX COUNTY. THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY. NO TITLE SEARCH PROVIDED OR STIPULATED. SURVEY CLASS: SUBURBAN

LANDS N/F
CRAIG & ERINANN BEEBE
D.B. 5332-215

**BOUNDARY SURVEY PLAN FOR
JOSE NETTO**
TOTAL AREA: 12,540 SQ. FT.
DEED REFERENCE: BOOK 3488, PAGE 335
20036 JOHN J. WILLIAMS HIGHWAY, LEWES
LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
FEBRUARY 14, 2022 SCALE: 1" = 30'

JOHN J. WILLIAMS HIGHWAY / ROUTE 24
(R/W VARIES)

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2227 phone 307 226 2239 fax 2103A Coastal Highway Dewey Beach, DE 19971



BAIRD
MANDALAS
BROCKSTEDT LLC

Exhibit C

Zoning Code

Chapter 115. Zoning

Article IV. AR-1 and AR-2 Agricultural Residential Districts

§ 115-22. Conditional uses.

The following uses may be permitted as conditional uses when approved in accordance with the provisions of Article XXIV of this chapter:

Agricultural related industry, provided that such use is visually and acoustically screened from adjacent highways and property in such a manner that a reasonable passerby is not attracted to or aware of the establishment

[Added 1-27-2004 by Ord. No. 1658]

Airports and landing fields or seaplane bases, provided that they shall comply with the recommendations of the Federal Aviation Administration

Aquariums, commercial

Beaches, commercial

Biotech campus

[Added 1-27-2004 by Ord. No. 1659]

Biotech industry not located within a biotech campus provided that such use is visually and acoustically screened from adjacent highways and property in such a manner that a reasonable passerby is not attracted to or aware of the establishment.

[Added 1-27-2004 by Ord. No. 1659]

Cemeteries, including a crematorium if located at least 200 feet from the boundaries of the cemetery

Excavation or backfilling of borrow pits, extraction, processing and removal of sand, gravel or stone, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development. (See § 115-172B.)

Exposition centers or fairgrounds

Heliports or helistops

Hospitals and sanitariums, but not animal hospitals

Institutions, educational or philanthropic, including museums, art galleries and libraries

Land application of sludge, treated sludge or any product containing these materials. For purposes of this section, "sludge" means the accumulated semiliquid suspension, settled solids or dried residue of these solids that is deposited from liquid waste in a wastewater treatment plant or surface or ground waters treated in a water treatment plant, whether or not these solids have undergone treatment. "Septage" is included herein as sludge. "Land application" means the placement of sludge, treated sludge or any other product containing these materials within two feet below the surface of land used to support vegetative growth.

[Added 5-8-1990 by Ord. No. 681]

Livestock auction markets in an AR District

Marinas or yacht clubs

Multifamily dwelling structures and/or townhouses and/or town homes, subject to the provisions of this chapter when:

[Added 7-31-2007 by Ord. No. 1920]

- A. Said multifamily dwelling structures and/or townhouses and/or town homes, the owners of which would share and own in common the surrounding grounds (which may also be referred to herein collectively as "units"), lie within a Town Center, a Developing Area, or a Coastal Area as described within the Land Use Element and as shown on the Future Land Use Plan of the adopted Sussex County Comprehensive Plan; and
[Amended 5-21-2019 by Ord. No. 2656]
- B. The developer has proffered to Sussex County for the purpose of creating open space for preservation and/or active and/or passive recreation areas a development fee per unit, as described in Chapter 62, § 62-7, for every unit in excess of two units per gross acre that is included in the application; and
- C. The Sussex County Council prior to the signing of a contract to purchase or lease open space for preservation and/or active and/or passive recreation areas shall approve all such land or conservation easement purchases which utilize monies paid to the County under the terms of this amendment. All such approvals by the Council shall be by a four-fifths majority vote and shall include a determination that the land and/or conservation easement to be acquired is located in the same watershed area as the land where the bonus density will be located; and
- D. It is understood that Sussex County shall control all monies paid to it under this amendment and that the Sussex County Land Trust may act as a recommending body and/or partner at the discretion of the Sussex County Council; and
- E. The maximum number of multifamily dwelling structures and/or townhouses and/or town homes, as defined in Subsection A above, included in the application, shall not exceed four dwelling units per gross acre, including land set aside for common

- open space and/or recreational uses; and
- F. The minimum percentage of the total site which shall be set aside as common open space shall be 40% of the total land area included in the application; and
- G. There shall be a vegetated buffer of not less than 75 feet, subject to the following conditions:
- (1) The vegetated buffer shall be located adjacent to a numbered road shown on the General Highway Map for Sussex County and may include the required setback area from the road and shall be kept free of vehicle parking areas, buildings and structures; and
 - (2) The vegetated buffer shall include a mix of deciduous shade trees and evergreen trees, a majority of which shall be of common local species; and
 - (3) The deciduous shade trees shall include trees reasonably capable of attaining a minimum trunk diameter of two inches measured 3.5 feet above the ground within five years of being planted; and
 - (4) The evergreen trees shall include trees reasonably capable of attaining a minimum height of 10 feet above the ground within five years of being planted; and
 - (5) The goal of the landscape plan for the buffer area shall be include trees of the type indicated herein that will be planted in a natural manner, as they might appear in nature, as opposed to being planted in row fashion which will filter views from the road in such a manner that the dwelling units appear more green and less dense than if no landscaping had been required; and
 - (6) A further goal of the landscape plan would be to avoid placing plantings in an area adjacent to the entrance to the development in such a manner as to restrict the view of motorists entering or exiting from the development or restricting sight lines for motorists in such a manner as to create a potential safety hazard; and
 - (7) The landscape plan for the buffer area shall be designed and signed by a Delaware licensed landscape architect and approved by the Planning and Zoning Commission and County Council; and
- H. Council and/or the County Administrator may consider and authorize an expedited review of a conditional use application filed under this section; and
- I. Multifamily dwelling structures and/or townhouses and/or town homes shall not be considered as a conditional use under any other provision of this section which existed prior to the date of this amendment; and
- J. The density bonus fee for each multifamily and/or townhouse and/or town home dwelling unit in excess of two units per gross acre shall be determined by reference to and the use and application of the per-unit density bonus fees adopted as part of Ordinance 1842 and applicable to cluster developments and appearing in Chapter 62, Article III, § 62-7, as the same may hereafter be modified by Council, from time to time. Council will review the fees for a density bonus under the terms of this amendment on an annual basis and revise such fees as it deems necessary by an appropriate amendment.

Manufactured home parks

[Amended 10-12-2010 by Ord. No. 2152]

Nursing and similar care facilities

[Added 4-16-2019 by Ord. No. 2645]

Parks or campgrounds for mobile campers, tents, camp trailers, touring vans and the like

Private clubs

Public or governmental buildings and uses, including schools, parks, parkways, playgrounds and public boat landings

Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations or substations, but not telephone central offices

Racetracks, any type, including horses, stock cars or drag strip

Recreation facilities, privately or commercially operated, such as a fishing or boating lake, picnic grounds or dude ranch, and accessory facilities, including sale of food, beverages, bait, incidentals, supplies and equipment

Residential, business, commercial or industrial uses when the purposes of this chapter are more fully met by issuing a conditional use permit

[Added 4-6-2004 by Ord. No. 1677^[1]]

Special events such as circuses or carnival grounds, amusement parks or midways, festivals, concerts, race/walks or any other special event or gathering being held outdoors or within a temporary structure or at a site and for a purpose different from the designated use and usual occupancy of the premises and located on unincorporated lands within Sussex County, permanently or for a temporary time period exceeding three days. Special events not approved by the Director as a permitted use under § 115-20 shall require a conditional use permit. All special events, regardless of duration, shall be subject to the requirements of the Sussex County Special Event Policy.

[Amended 5-1-1990 by Ord. No. 680; 11-10-1992 by Ord. No. 863; 8-20-2013 by Ord. No. 2316; 9-18-2018 by Ord. No. 2599]

Sports arenas or stadiums, commercial athletic fields or baseball parks

Stores or shops for the sale of farm products, farm supplies, groceries, beverages, drugs and food and similar stores and shops

Structures for commercial poultry raising on farms of less than five acres

Swimming or tennis clubs, private, nonprofit or commercially operated

[1] *Editor's Note: This entry was previously repealed 1-27-2004 by Ord. No. 1658.*



BAIRD
MANDALAS
BROCKSTEDT LLC

Exhibit D

Aerial Maps

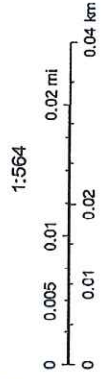


Sussex County



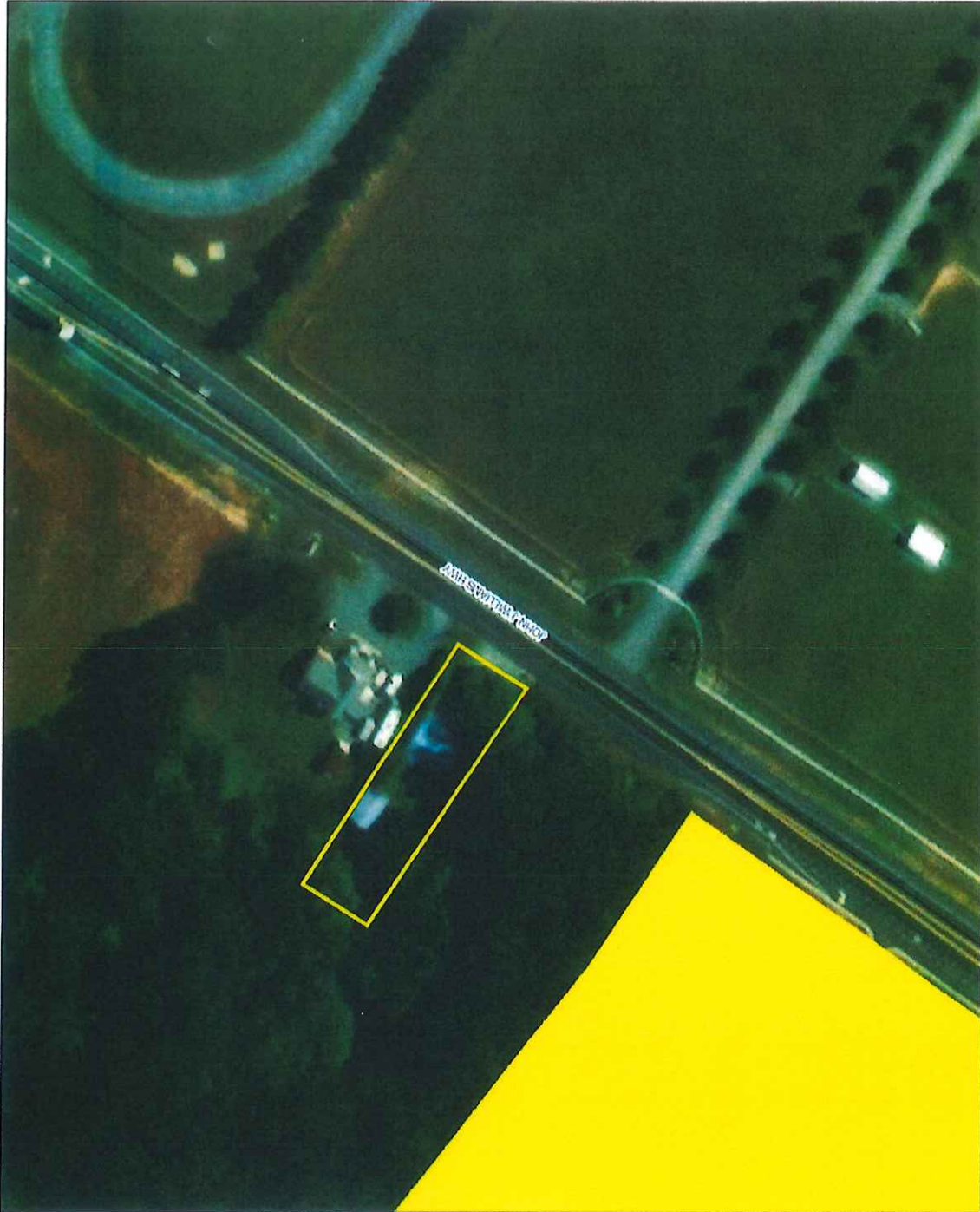
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Owner Name	NETTO JOSE
Book	5660
Mailing Address	36378 TALL GRASS CT
City	LEWES
State	DE
Description	HWY LEWES TO MILLS
Description 2	VIA LOVE CREEK BR
Description 3	N/A
Land Code	

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



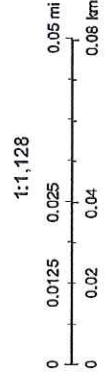


Sussex County



Owner Name	NETTO JOSE
Book	5660
Mailing Address	36378 TALL GRASS CT
City	LEWES
State	DE
Description	HWY LEWES TO MILLS
Description 2	VIA LOVE CREEK BR
Description 3	N/A
Land Code	

polygonLayer
 Override 1
 polygonLayer
 Override 1
 — Streets





Sussex County



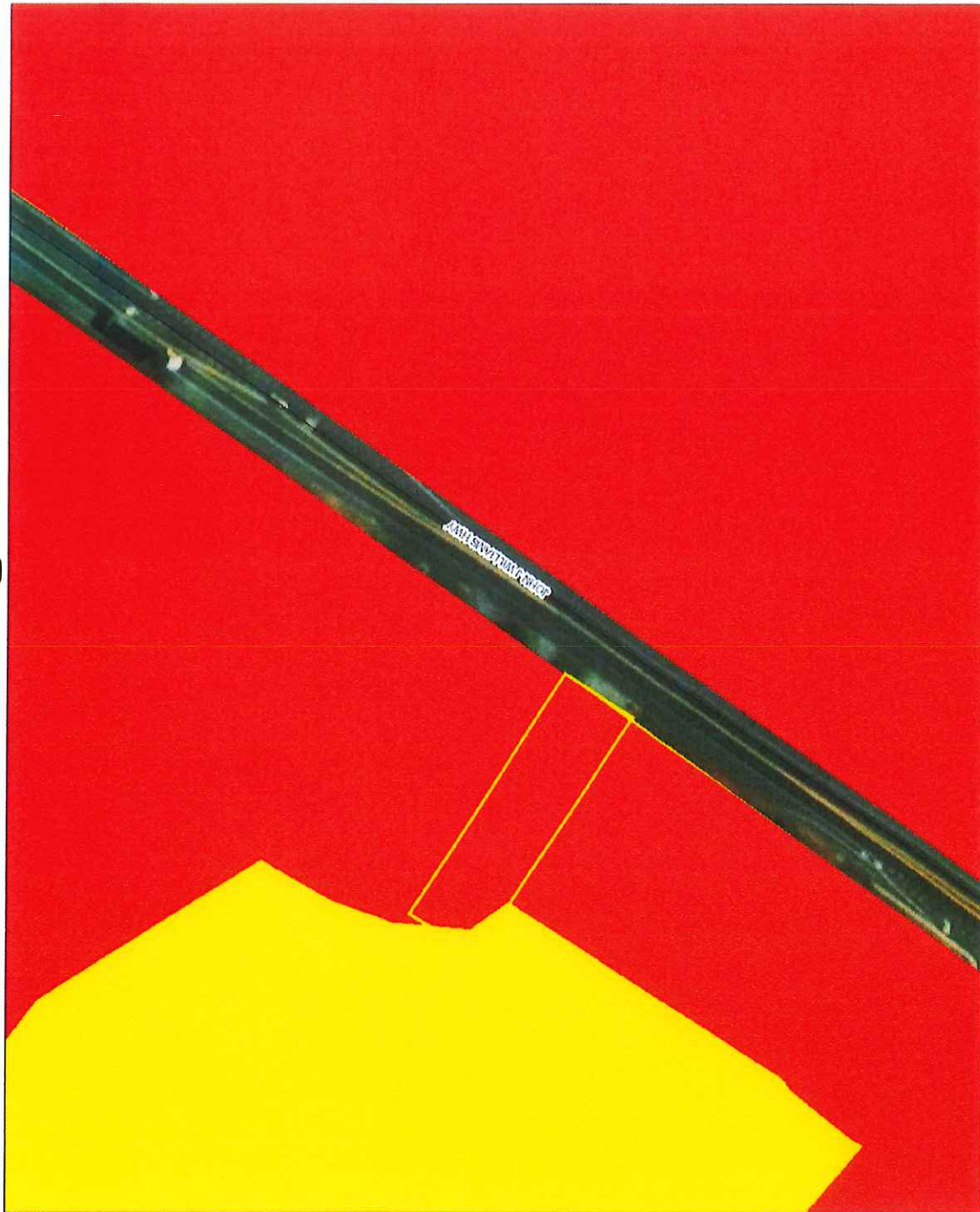
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Book	5660
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City	LEWES
State	DE
Description	HWY LEWES TO MILLS
Description 2	VIA LOVE CREEK BR
Description 3	N/A
Land Code	

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- polygonLayer
Override 1
- Streets
- County Boundaries
- Conditional Use





Sussex County



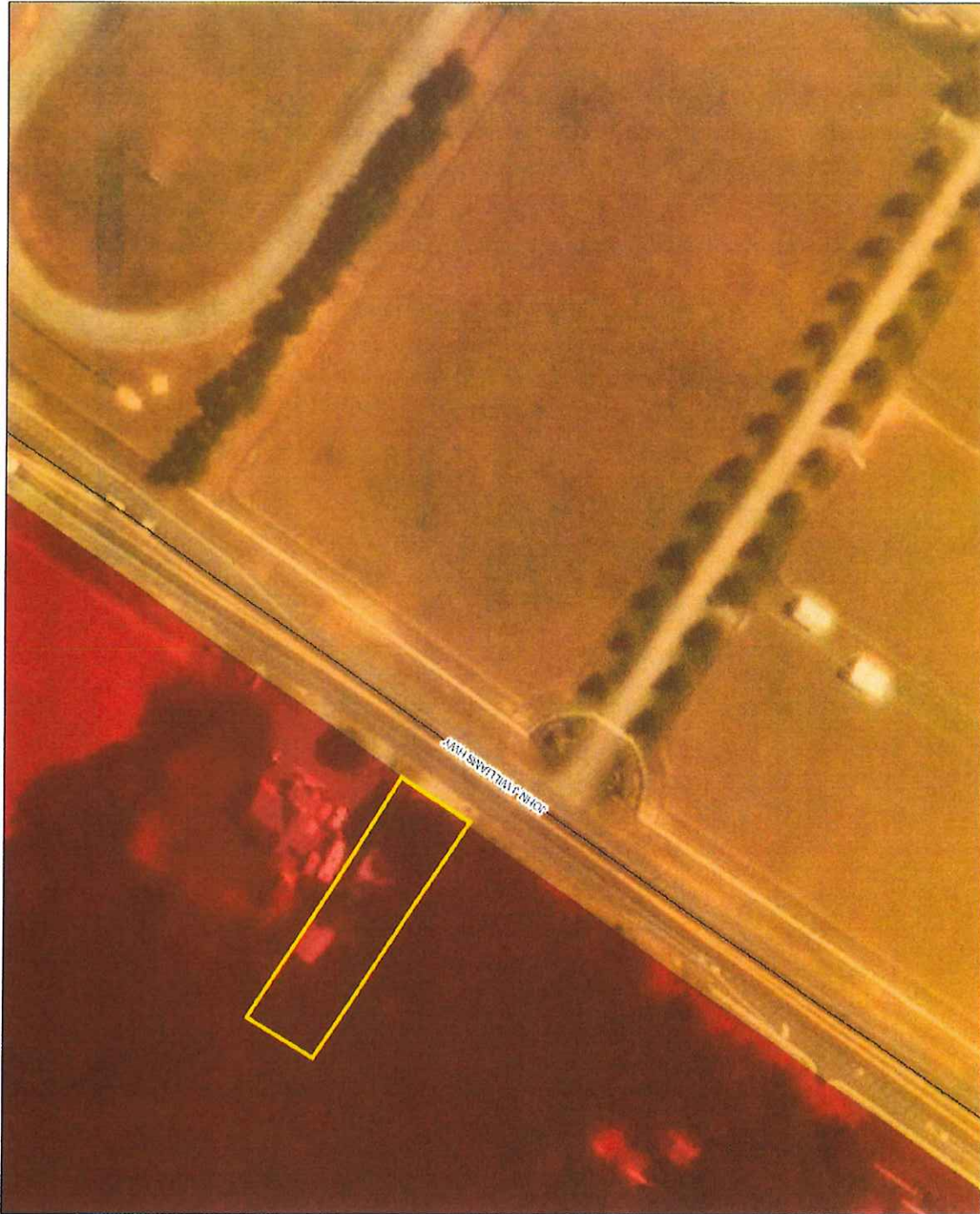
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Book	5660
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State	DE
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Description 2	VIA LOVE CREEK BR
Description 3	N/A
Land Code	

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- polygonLayer Override 1
- Streets
- County Boundaries
- 2019 Future Land Use
 - Low Density
 - Coastal Area
 - Commercial
 - Developing Area
 - Existing Development Area
 - Industrial
 - Municipalities
 - Town Center



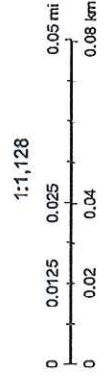


Sussex County



PIN	334-12 00-23 00
Owner Name	NETTO JOSE
Book	5660
Mailing Address	36378 TALL GRASS CT
City	LEWES
State	DE
Description	HWY LEWES TO MILLS
Description 2	VIA LOVE CREEK BR
Description 3	N/A
Land Code	

- polygonLayer**
 - Override 1
- polygonLayer**
 - Override 1
- Streets**
- County Boundaries**
- Sewer Tiers**
 - Tier 1 - Sussex County Unified Sanitary Sewer District
 - Tier 2 - Sussex County Planning Area
 - Tier 3 - Coordinated CPCN Areas
 - Tier 4 - System Optional Areas
 - Tier 5 - Regulated On-site Area



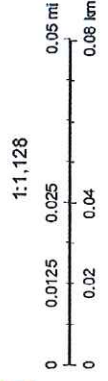


Sussex County



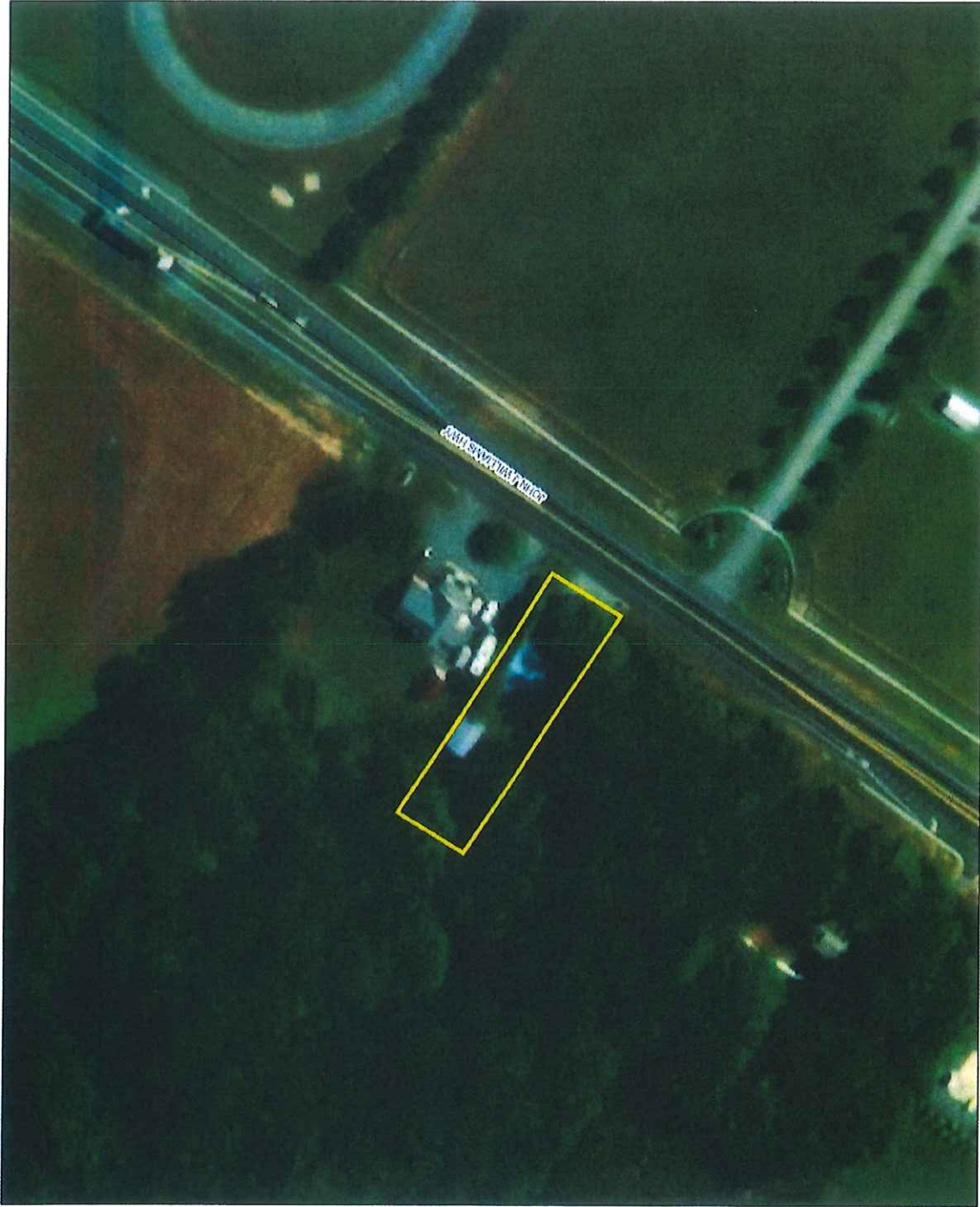
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Owner Name	NETTO JOSE
Book	5660
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City	LEWES
State	DE
Description	HWY LEWES TO MILLS
Description 2	VIA LOVE CREEK BR
Description 3	N/A
Land Code	

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- Streets
- County Boundaries
- Water CPCN
- Wastewater CPCN



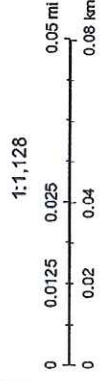


Sussex County



PIN	334-12 00-23 00
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Description 2	VIA LOVE CREEK BR
Description 3	N/A
Land Code	

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- County Council Districts
- District 01
- District 02
- District 03
- District 04
- District 05
- County Boundaries

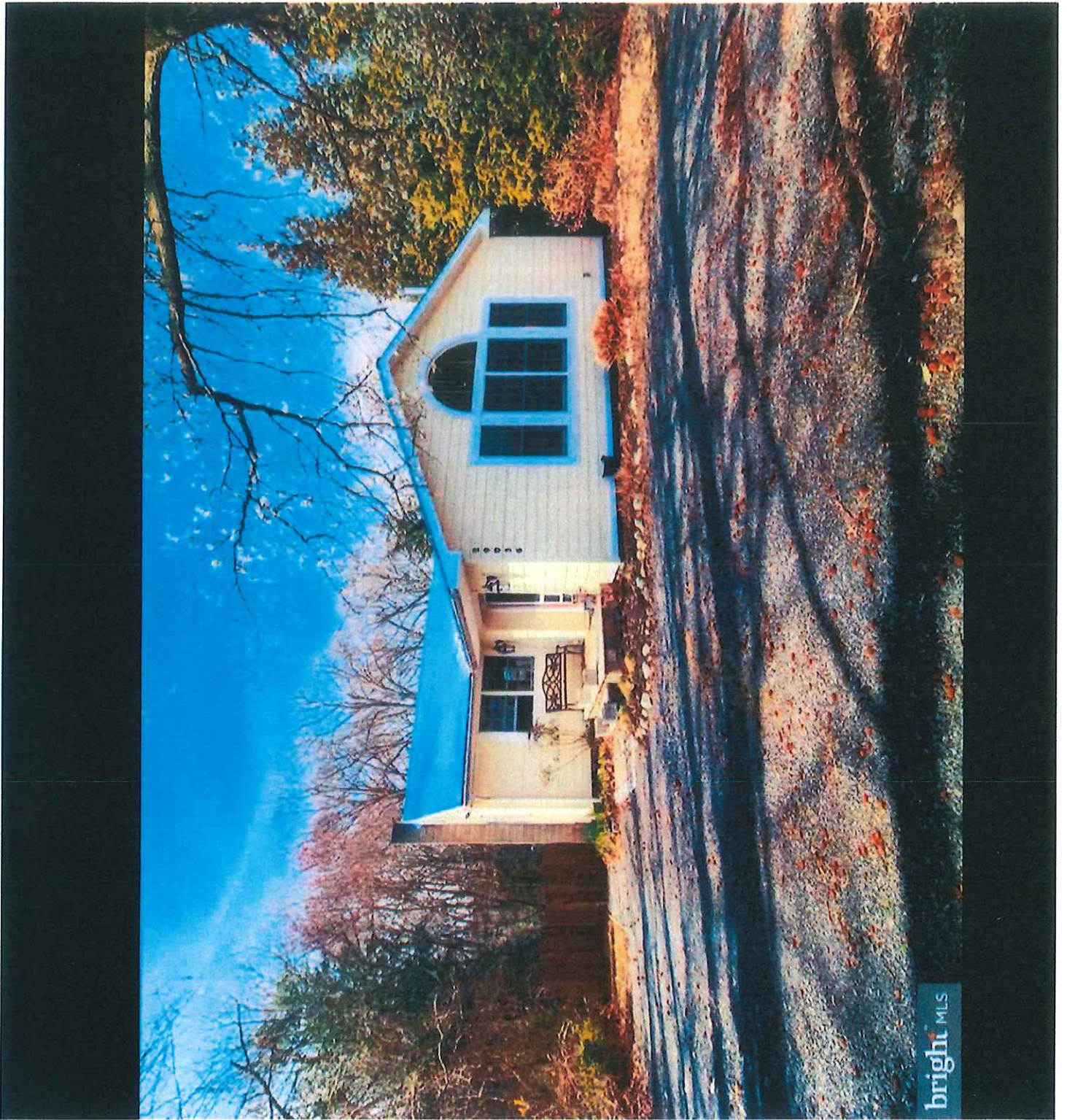




BAIRD
MANDALAS
BROCKSTEDT LLP

Exhibit E

Property Images



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bright MLS

