

PLANNING & ZONING COMMISSION

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Sussex County

DELAWARE
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302-855-7878 T
302-854-5079 F
JANELLE CORNWELL, AICP
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date February 13, 2020.

Application: (CZ 1906) Eliud Ramirez-Mejia

Applicant: Eliud Samuel Ramirez Mejia
153 Clayton Avenue
Frankford, DE 19945

Owner: Eliud Samuel Ramirez Mejia
153 Clayton Avenue
Frankford, DE 19945

Site Location: Located on the south side of Dagsboro Road (Route 20) at 27346
Dagsboro Road, Dagsboro, DE 19947.

Current Zoning: Agricultural Residential (AR-1)

Proposed Zoning: Medium Commercial (C-2)

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmatic
District: Mr. Rieley

School District: Indian River School District

Fire District: Dagsboro Fire District

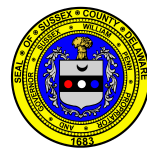
Sewer: Private, On-Site

Water: Private, On-Site

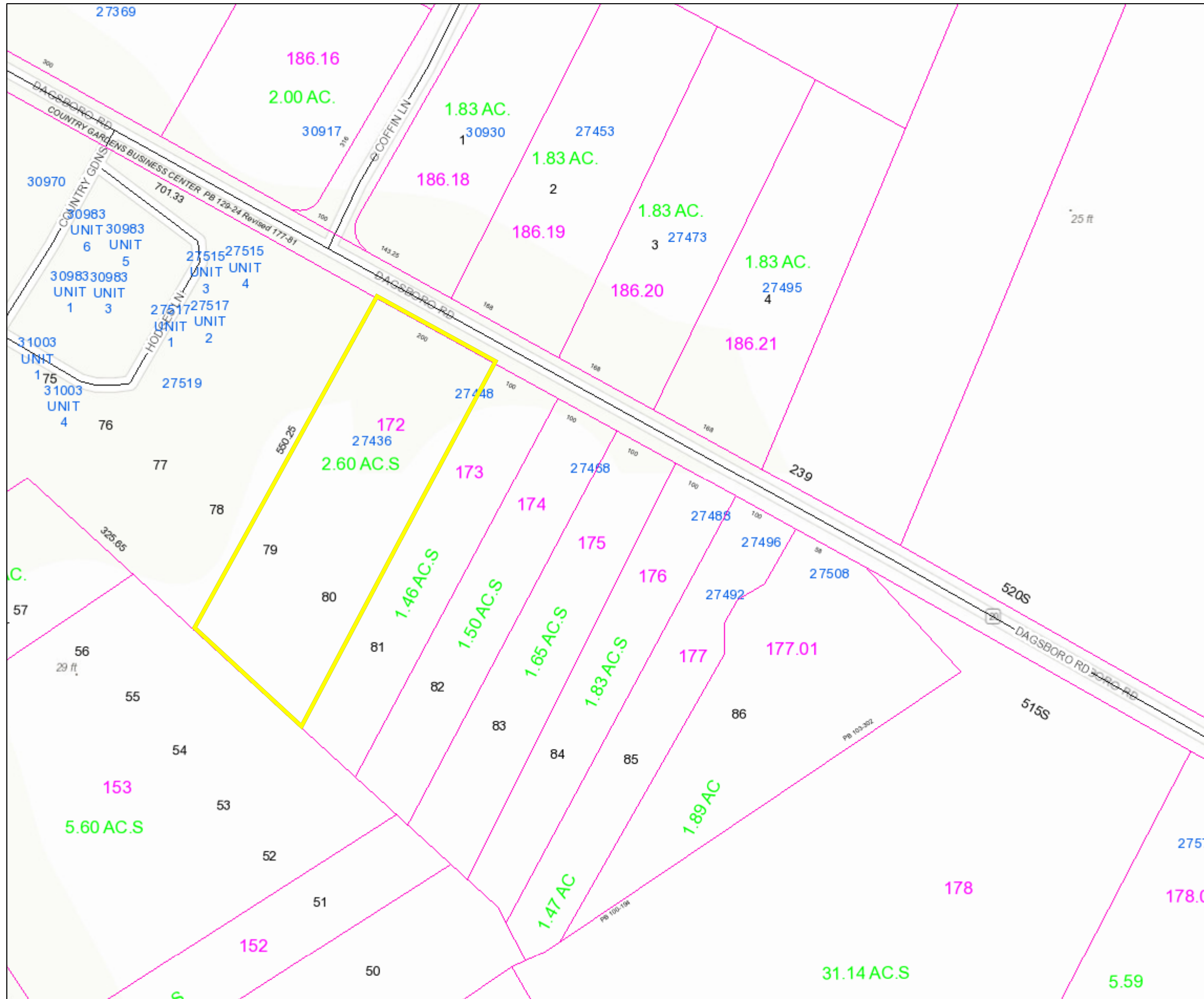
Site Area: 2.53 acres +/-

Tax Map ID.: 233-5.00-172.00



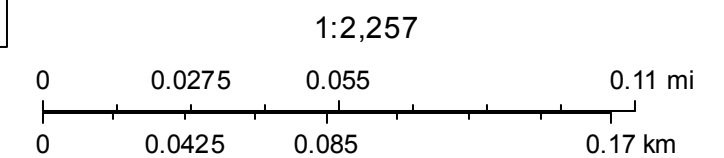


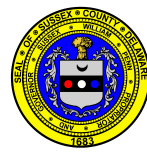
Sussex County



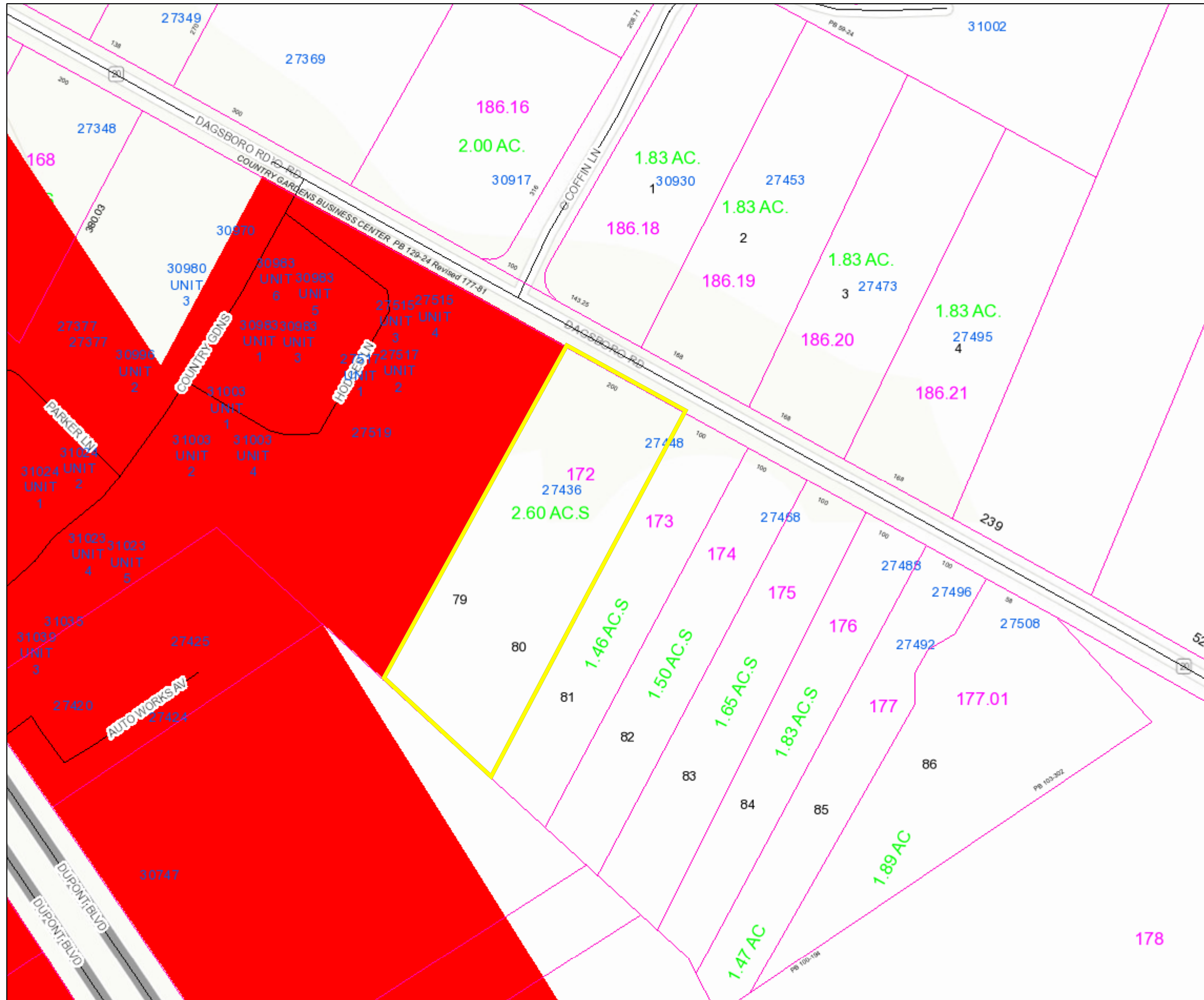
PIN:	233-5.00-172.00
Owner Name	RAMIREZ-MEJIA ELUID
Book	4906
Mailing Address	153 CLAYTON AVE
City	FRANKFORD
State	DE
Description	W/HWY. LOT 79 & 80
Description 2	HOUSTON ACRES
Description 3	N/A
Land Code	

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





Sussex County



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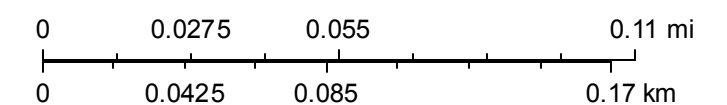
polygonLayer
Override 1

Tax Parcels

911 Address

Streets

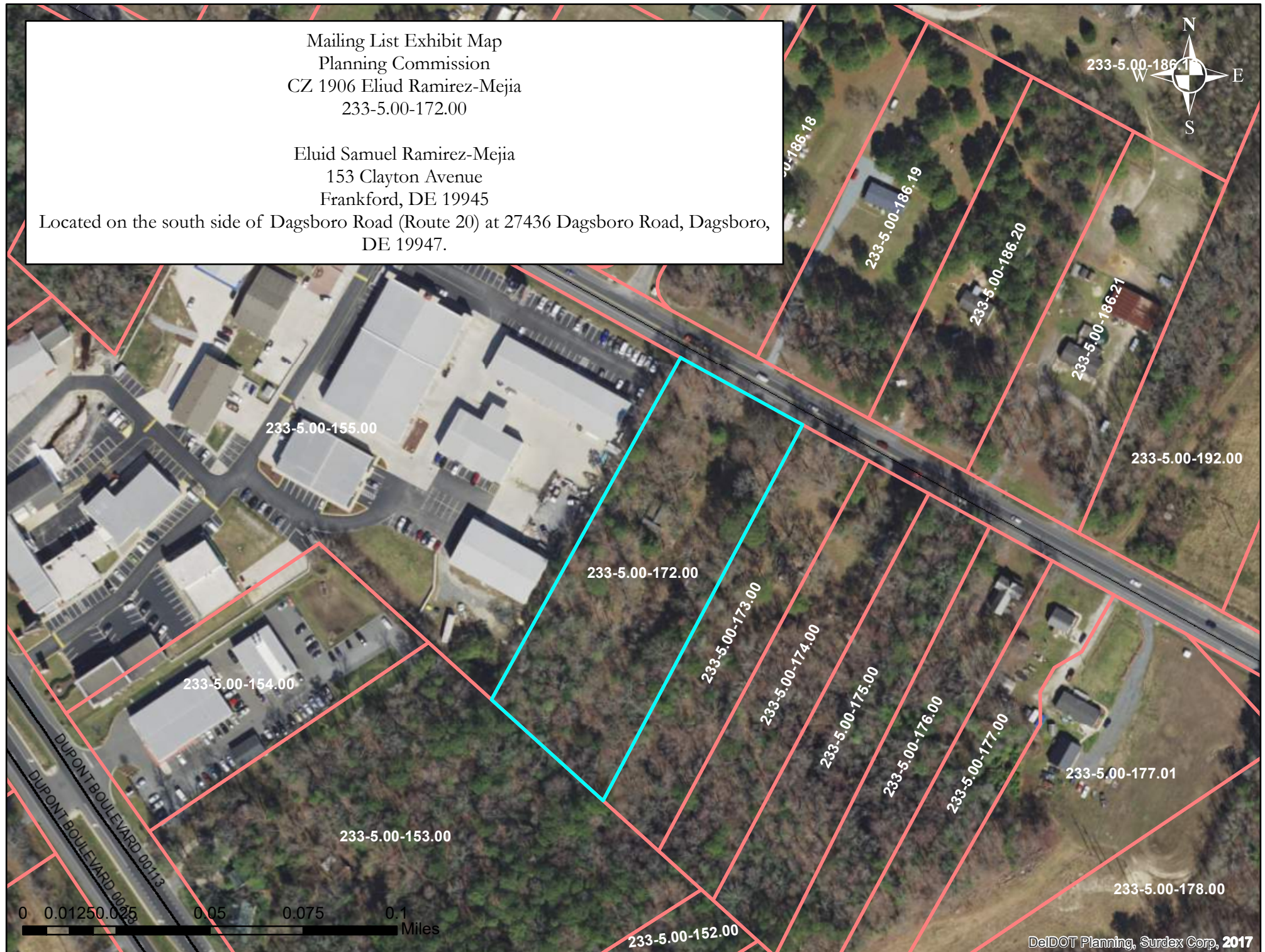
1:2,257



Mailing List Exhibit Map
Planning Commission
CZ 1906 Eliud Ramirez-Mejia
233-5.00-172.00

Eliud Samuel Ramirez-Mejia
153 Clayton Avenue
Frankford, DE 19945

Located on the south side of Dagsboro Road (Route 20) at 27436 Dagsboro Road, Dagsboro,
DE 19947.





Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: February 7, 2020
RE: Staff Analysis for CZ 1906 Eliud Samuel Ramirez-Mejia

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1906 Eliud Samuel Ramirez-Mejia to be reviewed during the February 13, 2020 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 Change of Zone for parcel 233-5.00-172.00 to facilitate a change from an Agricultural Residential (AR-1) Zoning District to the Medium Commercial (C-2) Zoning District and is located at 27436 Dagsboro Road on the west side of Dagsboro Road (Route 20), approximately 0.24 miles south of Crickett Street. The size of the property is 2.60 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 property has the land use designation of "Coastal Areas."

The areas to the north, east and south are also designated "Coastal Areas." "Coastal Areas" are areas that can accommodate development provided special environmental concerns are addressed. The "Coastal Areas" also supports a range of housing types including single-family homes, townhomes, 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. Mixed-use development should also be allowed. The parcels to the northwest of parcel 172.00 are designated "Commercial Areas." "Commercial Areas" include concentrations of retail and service including commercial corridors, shopping centers

The Medium Commercial (C-2) Zoning District is listed as an applicable zoning district for the Coastal Area under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" of the 2018 Sussex County Comprehensive Plan.

The property is zoned Agricultural Residential (AR-1). The properties to the southeast, south and north sides of the application site on the opposite side of Dagsboro Road (Route 20) are zoned Agricultural Residential (AR-1) Zoning District. Properties to the west side of the application site are zoned General Commercial (C-1) as well as several properties to the southwest.



Since 2011, there have been two Change of Zone applications within the vicinity of the application site: To the east is CZ 1781 (Tax Parcel: 233-10.00-17.00) to facilitate a Change of Zone from an Agricultural Residential (AR-1) Zoning District to General Commercial (C-1) Zoning District, which was approved by County Council on September 22nd, 2015 through Ordinance #2418. The second application, to the west is CZ 1756 (Tax Parcel: 233-5.00-135.00) to facilitate a change of zone from an Agricultural residential (AR-1) Zoning District to a General Commercial (C-1) Zoning District, which was approved by County Council on October 7th, 2014 through Ordinance #2369.

Based on the analysis of the land use, surrounding zoning and uses, a change of zone to allow for a property zoned Medium Commercial (C-2) in this location, subject to parcel size and proposed zoning, could be considered as having a degree of consistency with the land use, surrounding area zoning and surrounding uses.

File #: CZ1906
201911602

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

27436 Pagsboro Rd, Pagsboro DE 19947

Type of Conditional Use Requested:

N/A

Tax Map #: 233-5.00-172.00 Size of Parcel(s): 2.53 Acres

Current Zoning: AR-1 Proposed Zoning: C-2 Size of Building: 3,200 SQFT

Land Use Classification:

Water Provider: On site Sewer Provider: On site

Applicant Information

Applicant Name: Eliud Samuel Ramirez Mejia
Applicant Address: 153 Clayton Ave
City: Frankford State: DE Zip Code: 19945
Phone #: 302 278 5471 E-mail: Eliud@Coastalpaintremodeling.com

Owner Information

Owner Name: As Above
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

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: 10/09/2019

Signature of Owner

Date: 10/09/2019

For office use only:

Date Submitted: 10/9/19

Staff accepting application: CEH

Location of property: _____

Fee: \$500.00 Check #: credit card

Application & Case #: 2019 11602

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____



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

JENNIFER COHAN
SECRETARY

September 25, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request (SLER) for the **Eliud Samuel Ramirez-Mejia** rezoning application, which we received on August 30, 2019. This application is for an approximately 2.53-acre parcel (Tax Parcel: 233-5.00-172.00). The subject land is located on the south side of Dagsboro Road (Sussex Road 334), approximately 1,000 feet east of the intersection of Dagsboro Road and Thorogoods Road (Sussex Road 333), south of the Town of Millsboro. The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking to rezone the land to C-2 (Medium Commercial) to develop up to three 3,200 square-foot unspecified buildings.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Dagsboro Road where the subject land is located, which is from the northwest Dagsboro limits to US Route 113, are 10,771 and 13,862 vehicles per day, respectively.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.

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



Ms. Janelle M. Cornwell
Page 2 of 2
September 25, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

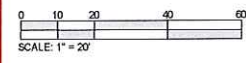
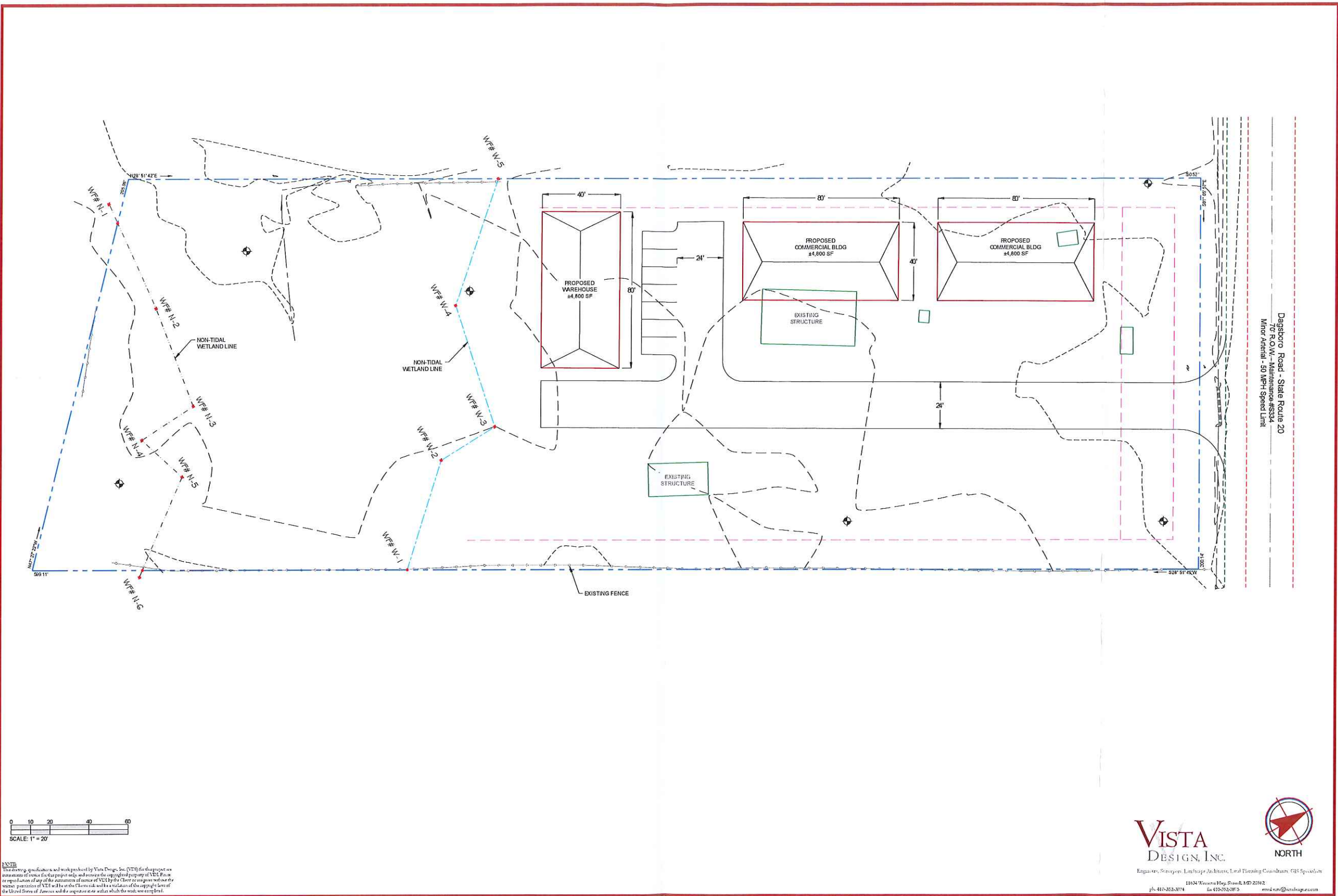
Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Eliud Samuel Ramirez-Mejia, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision 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
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination



NOTES
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Dagoberto Road - State Route 20
70' R.O.W. - Maintenance MS34
Minor Arterial - 50 MPH Speed Limit

VISTA
DESIGN, INC.

Engineers, Surveyors, Landscape Architects, Land Planning Consultants, GIS Specialists
11634 Wicoma Hills Road, MD 21062
ph: 410-352-3074 fax: 410-352-0875 email: info@vistadesign.com

