

PLANNING & ZONING COMMISSION

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



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: September 10th, 2020

Application: CZ 1913 FW & SV Thoroughgood Family Limited Partnership

Applicant/Owner: FW & SV Thoroughgood Family Limited Partnership
30771 Thorogoods Road
Dagsboro, DE 19939

Site Location: On the west side of Thorogoods Road at 30540 & 30512 Thorogoods Road (S.C.R. 333).

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Zoning: HI-1 (Heavy Industrial District)

Comprehensive Land
Use Plan Reference: Developing Areas

Councilmatic
District: Mr. Rieley

School District: Indian River School District

Fire District: Dagsboro Fire Department

Sewer: Private (On-site)

Water: Private (On-site)

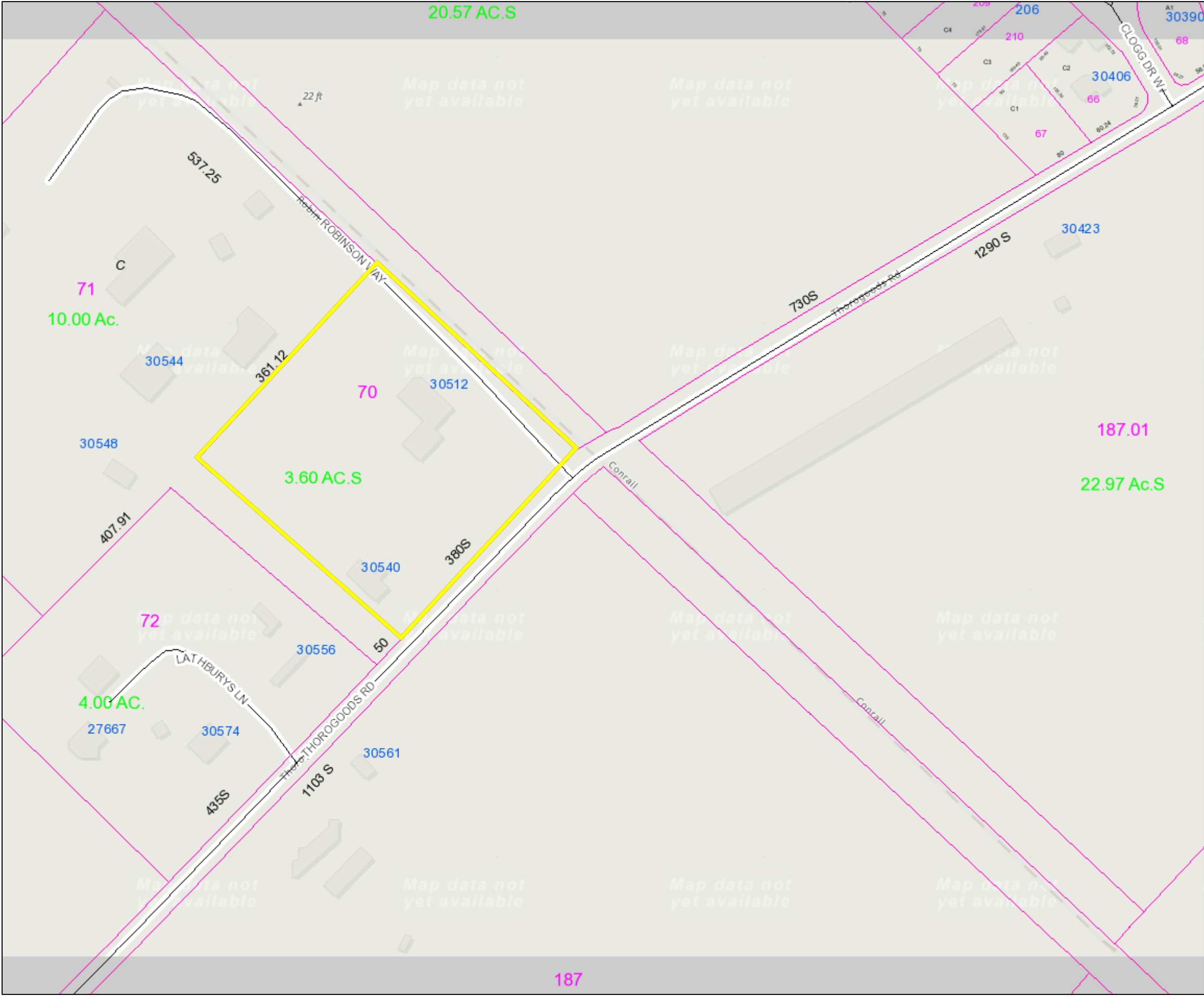
Site Area: 3.60 acres +/-

Tax Map ID.: 233-5.00-70.00





Sussex County

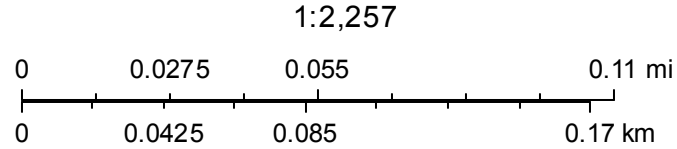


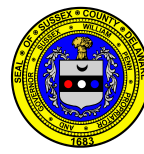
PIN:	233-5.00-70.00
Owner Name	F W & S V THOROUGHGOOD FAMILY
Book	2946
Mailing Address	30771 THOROGOODS RD
City	DAGSBORO
State	DE
Description	DIRT RD/DUPONT RD
Description 2	TO CANNONS SWITH
Description 3	3.6 AC.S.
Land Code	

- polygonLayer

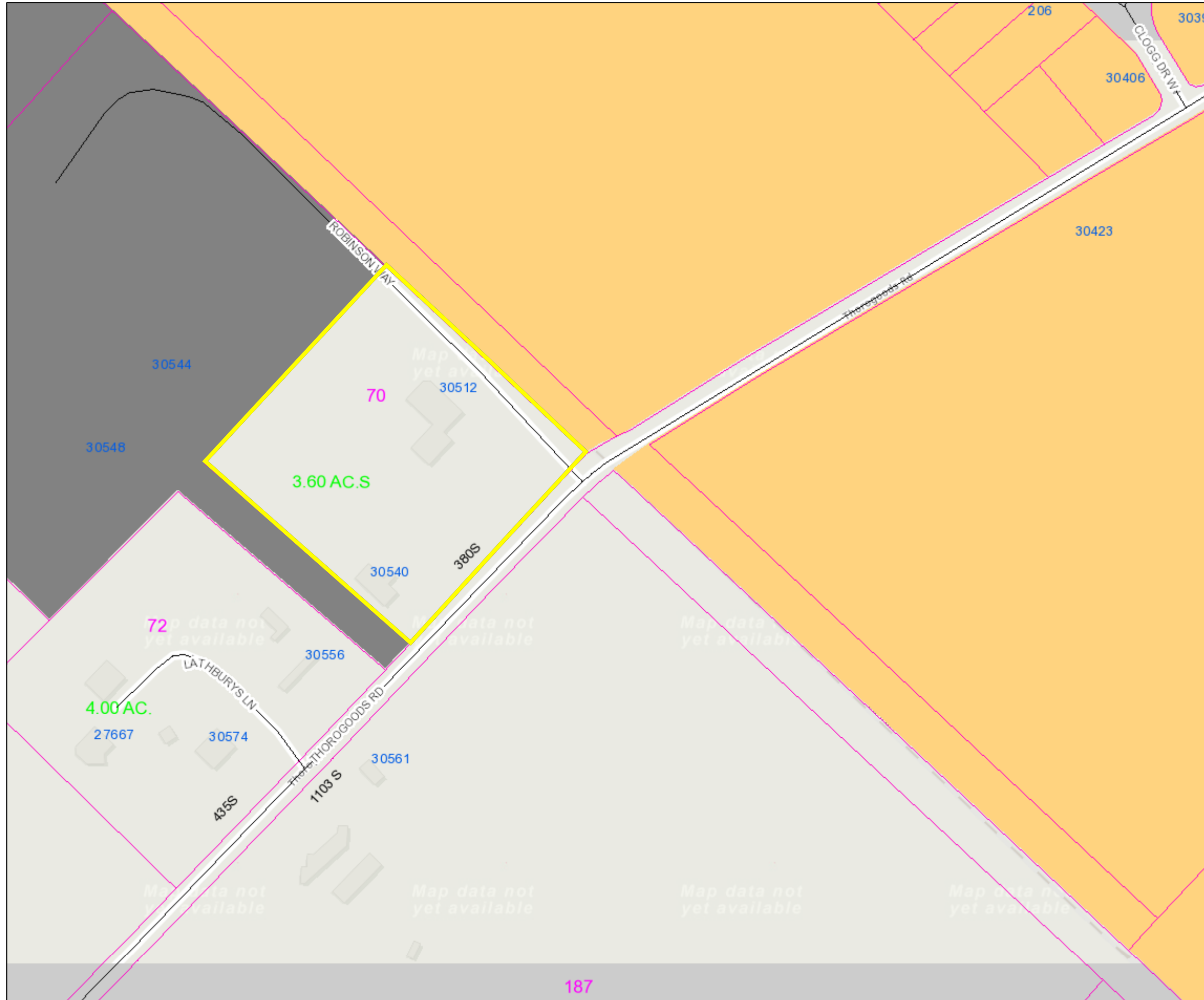
Override 1
- polygonLayer

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






Sussex County





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polygonLayer
Override 1

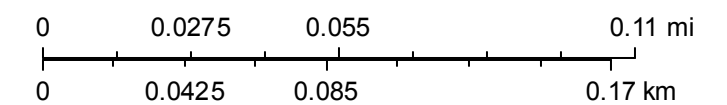
polygonLayer
Override 1

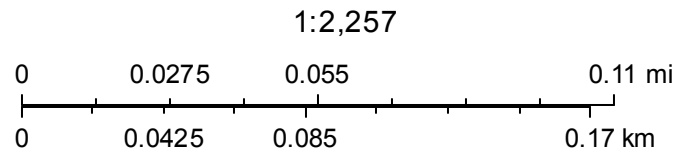
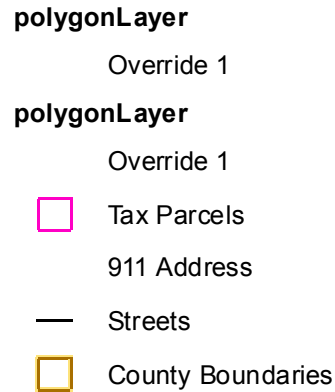
 Tax Parcels

 911 Address

 Streets

1:2,257





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



Sussex County

DELAWARE
sussexcountye.gov

Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: August 25, 2020
RE: Staff Analysis for CZ 1913 FW & SV Thoroughgood Family Limited Partnership

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1913 FW & SV Thoroughgood Family Limited Partnership to be reviewed during the September 10, 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 Tax Parcel 233-5.00-70.00 to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Heavy Industrial (HI-1) District. The parcel is located on the west side of Thorogoods Road. The property is located at 30512 and 30540 Thorogoods Road in Dagsboro, Delaware. The size of the property is approximately 3.60 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 subject property has the land use designation of "Developing Area." The properties to the east on the other side of Robinson Way are also designated "Developing Areas."

"Developing Areas" are newer, emerging growth areas that demonstrate the characteristics of developmental pressures. A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of "Developing Areas" with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home.

The properties to the north and west are designated "Industrial Areas." Industrial Areas are lands devoted to concentrations of larger industrial uses including heavier industry, light industry, warehousing, and flex space. Appropriate development in these areas could take the form of conventional industrial parks or planned business parks with a unified design that incorporate a combination of light industry and other business uses. Large, more intensive stand-alone industrial uses should also be directed to these areas.



The areas to the to the south (on the opposite side of Thorogoods Road) of the subject parcel are designated as “Coastal Areas.” Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed.

Additionally, the subject property is zoned Agricultural Residential (AR-1) Zoning District. The property to the south is also zoned Agricultural Residential (AR-1) Zoning District. The property to the east on the other side of Robinson Way is zoned General Residential (GR) Zoning District. The property encompassing the subject property to the north and west is zoned Heavy Industrial (HI-1) Zoning District.

Although the Heavy Industrial (HI-1) Zoning District is not listed as an applicable zoning district for “Developing Areas” under Table 4.5-2 “Zoning Districts Applicable to Future Land Use Categories” of the 2018 Sussex County Comprehensive Plan, it is listed as an applicable zoning district for “Industrial Areas.” The adjacent parcel which surrounds the subject parcel is designated as an “Industrial Area” of which the Heavy Industrial (HI-1) Zoning District is an applicable zoning district.

Since 2011, there have been no Change of Zone application proposed within a one-mile radius of the application site.

Based on the analysis of the surrounding zoning and uses, a Change of Zone to Heavy Industrial (HI-1) in this location, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: C/Z#1913
2019 14203

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

30540 & 30512 Thorogoods Road, Dagsboro, DE

Type of Conditional Use Requested:

Tax Map #: 233-5.00-70.00 Size of Parcel(s): 3.60 acres

Current Zoning: AR-1 Proposed Zoning: HI-1 Size of Building: To be determined

Land Use Classification: 2019 Future Land Use Map: Developing Area

Water Provider: Sewer Provider:

Applicant Information

Applicant Name: FW & SV Thoroughgood Family Limited Partnership

Applicant Address: 30771 Thorogoods Road

City: Dagsboro State: DE ZipCode: 19939

Phone #: (302) 245-7778 E-mail: mgchildrenscenter@yahoo.com

Owner Information

Owner Name: FW & SV Thoroughgood Family Limited Partnership

Owner Address: 30771 Thorogoods Road

City: Dagsboro State: DE Zip Code: 19939

Phone #: (302) 245-7778 E-mail: mgchildrenscenter@yahoo.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire (Morris James LLP)

Agent/Attorney/Engineer Address: 107 West Market Street

City: Georgetown State: DE Zip Code: 19947

Phone #: (302) 856-0018 E-mail: dhutt@morrisjames.com



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DEC 10 2019

SUSSEX COUNTY
PLANNING & ZONING



Check List for Sussex County Planning & Zoning Applications

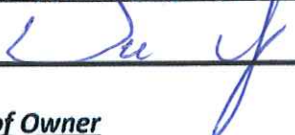
The following shall be submitted with the application

- ☒ **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.**
- ☒ **DelDOT 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.

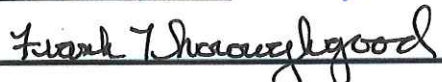
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future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

Signature of Applicant/Agent/Attorney



Date: 11/26/19

Signature of Owner



Date: 11/26/19

For office use only:

Date Submitted: 12/11/2019
Staff accepting application: NP
Location of property: _____

Fee: \$500.00 Check #: 106012
Application & Case #: 201914203

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 778
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

November 20, 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 for the **FW & SV Thoroughgood Family Limited Partnership** rezoning application, which we received on October 22, 2019. This application is for an approximately 3.60-acre parcel (Tax Parcel: 233-5.00-70.00). The subject land is located on the northwest side of Thorogoods Road (Sussex Road 333), approximately 2,400 feet northwest of the intersection of Dagsboro Road (Sussex Road 334) and Thorogoods Road, south of the Town of Millsboro. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to HI-1 (Heavy Industrial) to continue operating a general garage and conducting industrial activities.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Thorogoods Road where the subject land is located is 3,319 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible 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 negligible with regard to warranting a TIS does not mean that it is negligible 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 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
November 20, 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
FW & SV Thoroughgood Family Limited Partnership, 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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **8/24/2020**

APPLICATION: **CZ 1913 FW & SV Thoroughgood Family Limited Partnership**

APPLICANT: **FW & SV Thoroughgood Family Limited Partnership**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **233-5.00-70.00**

LOCATION: **On the west side of Thorogoods Road (SCR 333) at 30540 &
30512 Thorogoods Road**

NO. OF UNITS: **Up zone from AR-1 to HI-1**

GROSS
ACREAGE: **3.60**

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? **Municipal Growth & annexation Area**
- (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? **M/A**. Is it likely that additional SCCs will be required? **No** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** 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: **The proposed Change of Zone is in the Growth and Annexation Area of the Town of Millsboro. Contact the Town of Millsboro concerning the availability of sanitary sewer and water.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



John J. Ashman
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.
Jayne Dickerson
No Permit Tech Assigned

FW & SV Thoroughgood Family Limited Partnership

Change of Zone No. 1913

FW & SV Thoroughgood Family
Limited Partnership
30771 Thorogoods Road
Dagsboro, DE 19939

SCTP No: 233-5.00-70.00
30540 & 30512 Thorogoods Road,
Dagsboro, DE

David C. Hutt, Esquire
Morris James LLP

Public Hearings:

Planning Commision 09/10/2020

County Council 10/06/2020

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2. Title to Property: Deed: Dated February 26, 2004, Deed Book 2946, Page 230
3. Survey of Property: Dated April 29, 1995 (McCann, Inc.)
4. DelDOT Service Level Evaluation Request and Response
5. Sussex County Tax Maps
 - a. Tax Parcels
 - b. Zoning
 - c. Comprehensive Plan
 - d. Aerial Imagery
6. Firmette from FEMA Map Number 10005C0459K, dated March 16, 2015
7. 2020 Delaware State Strategies Map Excerpt
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 - a. Google Earth, 1992
 - b. Google Earth, 2005
 - c. Google Earth, 2018
9. Ordinance No. 1039 (Conditional Use No. 1120)
10. Building Permits for the Property
11. Proposed Findings of Fact

Tab “1”

File # _____

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

30540 & 30512 Thorogoods Road, Dagsboro, DE

Type of Conditional Use Requested:

Tax Map #: 233-5.00-70.00 **Size of Parcel(s):** 3.60 acres

Current Zoning: AR-1 **Proposed Zoning:** HI-1 **Size of Building:** To be determined

Land Use Classification: 2019 Future Land Use Map: Developing Area

Water Provider: _____ **Sewer Provider:** _____

Applicant Information

Applicant Name: FW & SV Thoroughgood Family Limited Partnership

Applicant Address: 30771 Thorogoods Road

City: Dagsboro **State:** DE **Zip Code:** 19939

Phone #: (302) 245-7778 **E-mail:** mgchildrenscenter@yahoo.com

Owner Information

Owner Name: FW & SV Thoroughgood Family Limited Partnership

Owner Address: 30771 Thorogoods Road

City: Dagsboro **State:** DE **Zip Code:** 19939

Phone #: (302) 245-7778 **E-mail:** mgchildrenscenter@yahoo.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire (Morris James LLP)

Agent/Attorney/Engineer Address: 107 West Market Street

City: Georgetown **State:** DE **Zip Code:** 19947

Phone #: (302) 856-0018 **E-mail:** dhutt@morrisjames.com



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DEC 10 2019
SUSSEX COUNTY
PLANNING & ZONING



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.
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- ☒ **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.

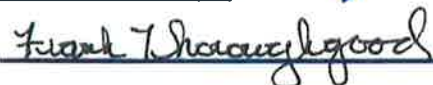
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Signature of Applicant/Agent/Attorney



Date: 11/26/19

Signature of Owner



Date: 11/26/19

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

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: 30540 Thorogoods Road

Dagsboro, DE 19939

Parcel #: 233-5.00-70.00

Site Address: _____

Parcel #: _____

Applicant Name: FW & SV Thoroughgood Family Limited Partnership

Owner Name: FW & SV Thoroughgood Family Limited Partnership

Type of Application:

Conditional Use: ☐

Change of Zone: ☒

Subdivision: ☐

Board of Adjustment: ☐

Date Submitted: _____

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____

Date letters mailed: _____

List created by: _____

Letters sent by: _____

Sussex County, DE
Treasury
P.O. Box 601
Georgetown, DE 19947
Welcome

33016233-0002 Lindsey S 12/11/2019 08:42AM

PERMITS / INSPECTIONS

CHANGE OF ZONE - FEE

2019 Item: 201914203|2015 500.00

500.00

Subtotal 500.00
Total 500.00

CHECK 500.00
Check Number 00000106012

Change due 0.00

Paid by: MORRIS JAMES LLP

Morris James LLP Attestation & Surety Services 1075 BETHESDA PIKE PO BOX 601 GEORGETOWN, DE 19947	108012 DATE 12/11/2019
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12/11/2019 BY 67112/12/19	
Sussex County Council 1 THE CIRCLE GEORGETOWN, DE 19947	

Thank you for your payment

Sussex County, DE COPY
DUPLICATE RECEIPT

Tab “2”

09970

BK 02946 2230

Tax Parcel#2-33-5.00-13.00; 70.00; 186.01
 Prepared by: David W. Baker, Esq., P.A.
 P O Box 551, 109 S. Race St.
 Georgetown, Delaware 19947
 Return to: FRANK W. THOROUGHGOOD
 SARA V. THOROUGHGOOD
 Box 129A
 Dagsboro, Delaware 19939

NO LIEN OR TITLE SEARCH
PERFORMED - NONE REQUESTED

This Deed, made this 26th day of February,

in the year of our Lord Two Thousand Four.

BETWEEN SARA V. THOROUGHGOOD, of E. D. 1, Box 129A,
 Dagsboro, Delaware 19939, party of the first part,

-and-

F W and S V THOROUGHGOOD FAMILY LIMITED PARTNERSHIP, a
 Delaware Limited Partnership, of R. D. 1, Box 129A, Dagsboro,
 Delaware 19939, party of the second part,

WITNESSETH, That the said party of the first part, for and in
 consideration of the sum of One Dollar (\$1.00) lawful money of the
 United States of America, the receipt whereof is hereby
 acknowledged, hereby grants and conveys unto the party of the
 second part, its Successors and Assigns,

PARCEL NO. 1 (2-33-5.00-13.00):

ALL that certain piece, parcel or lot of land lying and
 being situate in Dagsboro Hundred, Sussex County and State of
 Delaware and lying on the westerly side of County Road leading
 from Dagsboro-Millsboro Stone Road to Pennsylvania Rail Road
 bounded and described as follows, to wit:

BEGINNING center of a ditch on westerly side of aforesaid
 county road right of way; thence with right of way S 55 $\frac{1}{4}$ ° W, 242
 feet to curve thence S 40° W, 100 feet to a light pole thence
 leave road with other land of Edward M. Clogg and Lucy M. Clogg,
 his wife, N 54° 50' W, 291 feet to center of Wharton's Branch

1

Consideration:	90.00	Exempt Code: A
County	State	Total
0.00	0.00	0.00
counter	Date: 02/26/2004	

8/10/02

02946 231

Canal; thence in a northeasterly direction to the mouth of a ditch leading into Wharton's Branch; thence down center of said ditch northeasterly to place of BEGINNING, containing 49,300 square feet more or less with improvements thereon.

BEING the same lands conveyed unto SARA V. THOROUGHGOOD by deed of FRANK WILLIAM THOROUGHGOOD, II and WILLIAM EDGAR THOROUGHGOOD dated the 12th day of August, A.D. 1992, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1872 at Page 247.

PARCEL NO. 2 (2-33-5.00-70.00; 186.01):

TRACT NO. 1:

ALL that certain lot, piece or parcel of land situate, lying and being in Dagsboro Hundred, Sussex County, Delaware, bounded on the East by D.M.&V. Railroad Company, bounded on the South by State Road #333, bounded on the North by Thoro-Goods Concrete Company and bounded on the West by a road leading from State Road #333 to Thoro-Goods Concrete Company and being more particularly described as follows:

BEGINNING on the northerly right of way of State Road #333 where the same is intersected by the easterly right of way of the road leading from State Road #333 to Thoro-Goods Concrete Company; thence along the northerly right of way of State Road #333 in an easterly direction, 376 feet or such a distance as will reach the D.M.&V. Railroad; thence along the D.M.&V. Railroad in a northerly direction a distance of 420 feet or such a distance as will reach Thoro-Goods Concrete Company; thence along lands of Thoro-Goods Concrete Company in a westerly direction 376 feet or such a distance as will reach the road leading from State Road #333 to Thoro-Goods Concrete Company; thence in a southerly direction along said outlet road 420 feet or such a distance as will reach the place of beginning, be the contents what they may.

TRACT NO. 2:

ALL that certain tract, piece and parcel of land lying and being situated in Dagsboro Hundred, Sussex County, Delaware, more particularly described as follows, to wit:

BEGINNING at a point in the Northeasterly right-of-way line of County Road 334 which point is a Southwesterly corner for land of J. R. Blizzard; thence by and with the aforesaid Northeasterly right-of-way line of County Road 334 North 52° 43' 34" West a distance of 70 feet; thence North 31° 16' 26" East a distance of

234 feet to a point; thence South 59° 3' 34" East a distance of 73 feet to a point; thence North 31° 16' 26" East a distance of 427.18 feet to a point; thence South 52° 16' 41" West a distance of 66.89 feet to a point in Wharton's Branch; thence by and with the meanderings of Wharton's Branch to a point which is 331.58 feet South 1° 40' 22" East of the last-mentioned point; thence continuing with Wharton's Branch in a Southwesterly direction to a point which is 259.82 feet South 44° 46' 46" West of the last-mentioned point; thence North 52° 43' 34" West a distance of 174.83 feet to a point; thence South 37° 16' 26" West a distance of 150 feet home to the place of beginning, said to contain 2.73 acres, more or less.

TRACT NO. 3:

ALL that certain lot, piece or parcel of land, situate, lying and being in Dagsboro Hundred, Sussex County, Delaware, on the southeasterly side of County Road 333, more fully described as follows:

BEGINNING at a concrete monument in the Southeasterly right-of-way line of County Road 333 which point is 390 feet from the intersection of County Road 333 and County Road 334, and being a corner for this land and lands now or formerly of William Thoroughgood; thence by and with the aforesaid County Road 333 North 38° 11' 40" East a distance of 100.00 feet to a concrete monument; thence by and with other lands now or formerly of Durham & Thompson South 54° 17' 00" East a distance of 200.25 feet to a concrete monument on line of other lands now or formerly of Durham & Thompson; thence by and with other lands now or formerly of Durham & Thompson South 38° 11' 40" West a distance of 100.00 feet to a concrete monument; thence North 54° 17' 00" West a distance of 200.25 feet home to the place of beginning, containing 20,006.17 square feet, more or less, as will more fully and clearly appear upon reference to a plot prepared by Gene R. Littleton in March, 1974, together with all improvements thereon.

BEING the same lands conveyed unto SARA V. THOROUGHGOOD by deed of FRANK W. THOROUGHGOOD and SARA V. THOROUGHGOOD dated the 23rd day of May, A.D. 1989, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1701 at Page 62.

02946 233

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal, the day and year aforesaid.

SIGNED, SEALED, DELIVERED,
and Witnessed in the presence of

Lisa R. Baker

Sara V. Thoroughgood (SEAL)
SARA V. THOROUGHGOOD

Jose M. Joke

STATE OF DELAWARE :
: ss.
SUSSEX COUNTY :

BE IT REMEMBERED, that on this 26th day of February, in the year of our Lord Two Thousand Four personally came before me, a Notary Public in and for the State and County aforesaid, SARA V. THOROUGHGOOD, party to this Indenture, known to me personally to be such, and acknowledge this Indenture to be her Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid.

DAVID W. BAKER
ATTORNEY AT LAW
NOTARY PUBLIC STATE OF DELAWARE
My Commission Expires No Expiration Date
2/26/04 12:00 PM (12)

[Signature] (Seal)
Notary Public

RECORDED OF DEEDS
JONATHAN BRADY

04 FEB 26 AM 10:50

SUSSEX COUNTY
DOC. SURCHARGE PAID

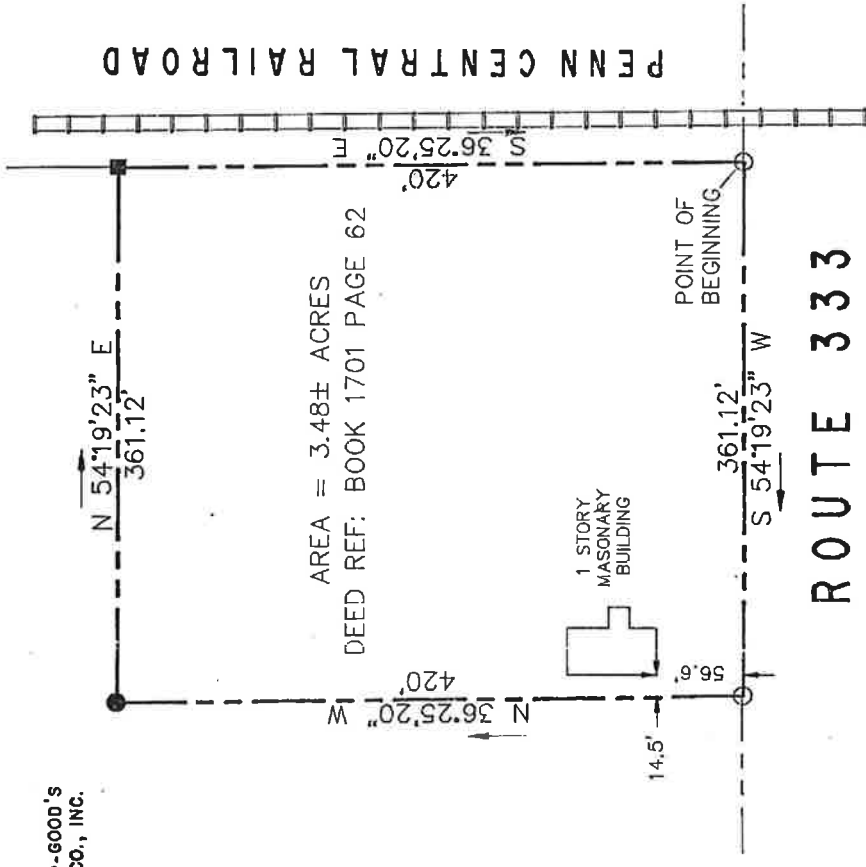
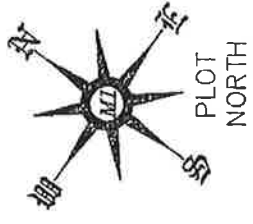
Received

FEB 27 2004

ASSESSMENT DIVISION
OF SUSSEX CTY

Tab “3”

N/F THORO-GOOD'S
CONCRETE CO., INC.



PARCEL OF
SARA V. THOROUGHGOOD
DAGSBORO HUNDRED - SUSSEX COUNTY - DELWARE

SCALE: 1" = 100'	DATE: 4-29-95	DRAWN BY: DAN
McCann, Inc.	Surveyors	Designers
	Engineers	
Georgetown, DE 19947	Dover, DE 19901	Clarksville, DE 19937
DONALD J. McCANN P.L.S. #440		

I HEREBY STATE THAT THIS PARCEL SURVEY WAS PERFORMED IN ACCORDANCE WITH ACCEPTABLE LOCAL SURVEYING STANDARDS FOR THE EXCLUSIVE USE OF THE PRESENT OWNER AND THOSE WHO PURCHASE OR ISSUE TITLE INSURANCE TO THIS PARCEL WITHIN SIX MONTHS FROM THE MOST RECENT DATE HEREON.

-UNLESS THIS PLAT HAS AN EMBOSSED SEAL AND AN ORIGINAL SIGNATURE OF THE SURVEYOR, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.

-THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE FOR RIGHTS-OF-WAY OR EASEMENTS CROSSING THE PROPERTY.

-NO TITLE SEARCH PROVIDED OR STIPULATED.

- = FOUND CONCRETE MARKER
- = FOUND IRON PIPE
- = SET IRON PIPE

[Handwritten signature]

Tab “4”

PLANNING & ZONING

JANELLE M. CORNWELL, AICP
DIRECTOR

(302) 855-7878 T
(302) 854-5079 F



Sussex County

DELAWARE
sussexcountyde.gov

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: 10/22/19

Site Information:

Site Address/Location: 30540 Thorogoods Road, Dagsboro, DE

Tax Parcel Number: 233-5.00-70.00

Current Zoning: AR-1

Proposed Zoning: HI-1

Land Use Classification: Commercial

Proposed Use(s): General garage/industrial activities

Square footage of any proposed buildings or number of units: N/A

Applicant Information:

Applicant's Name: FW & SV Thoroughgood Family Limited Partnership

Applicant's Address: 30771 Thorogoods Road

City: Dagsboro

State: DE

Zip Code: 19939

Applicant's Phone Number: 302-245-7778

Applicant's e-mail address: mgchildrenscenter@yahoo.com

David C. Hutt, Esq.

Morris James LLP

107 W. Market Street

PO Box 609

Georgetown, DE 19947

(302) 856-0015

DHutt@MorrisJames.com

Last updated 7-27-18

RECEIVED

OCT 22 2019



**SUSSEX COUNTY
PLANNING & ZONING**

COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE 19947



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

JENNIFER COHAN
SECRETARY

November 20, 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 for the **FW & SV Thoroughgood Family Limited Partnership** rezoning application, which we received on October 22, 2019. This application is for an approximately 3.60-acre parcel (Tax Parcel: 233-5.00-70.00). The subject land is located on the northwest side of Thorogoods Road (Sussex Road 333), approximately 2,400 feet northwest of the intersection of Dagsboro Road (Sussex Road 334) and Thorogoods Road, south of the Town of Millsboro. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to HI-1 (Heavy Industrial) to continue operating a general garage and conducting industrial activities.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Thorogoods Road where the subject land is located is 3,319 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible 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 negligible with regard to warranting a TIS does not mean that it is negligible 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 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
November 20, 2019

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

Sincerely,



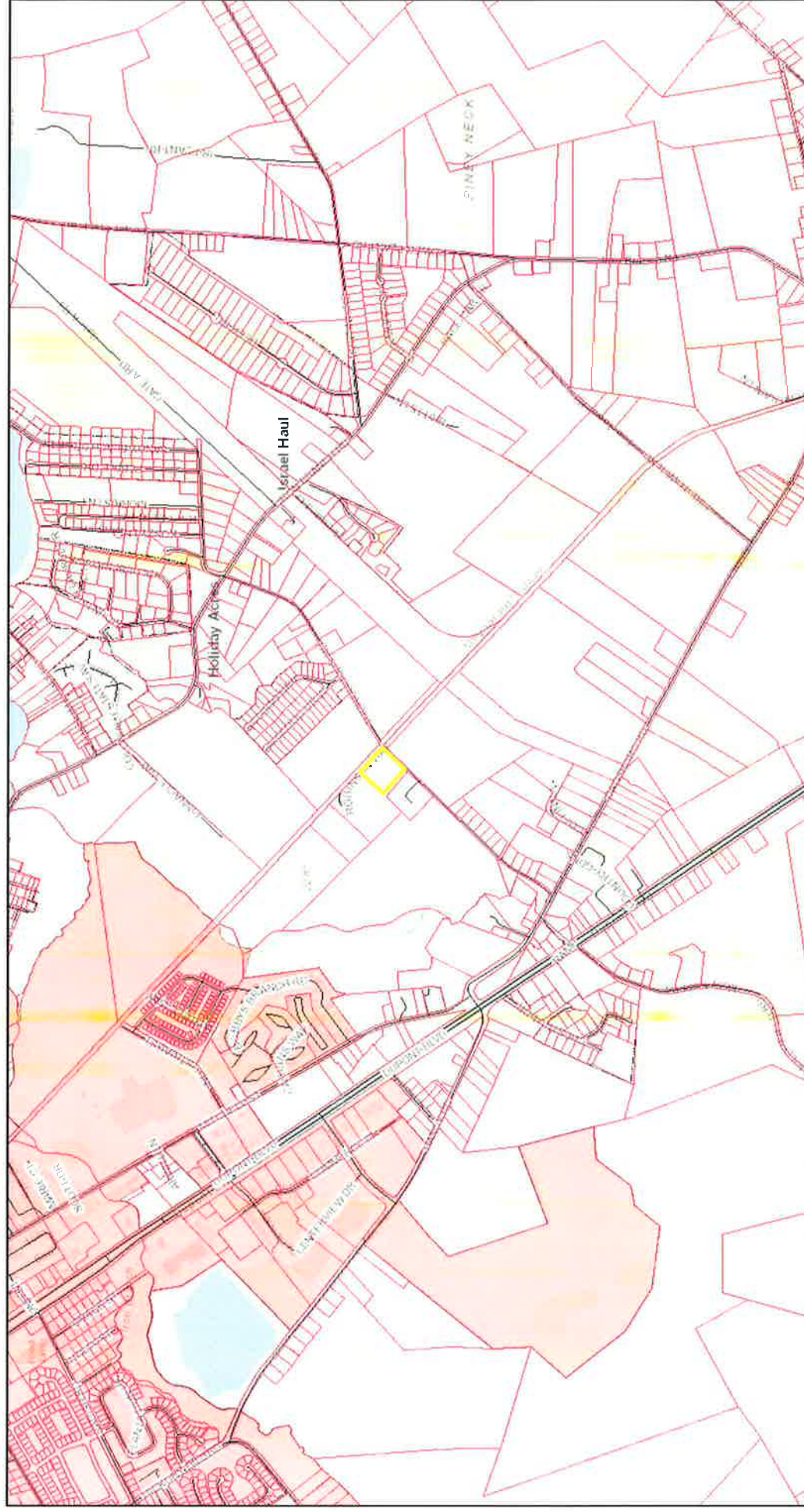
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
FW & SV Thoroughgood Family Limited Partnership, 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

Tab “5”

Sussex County



August 29, 2020

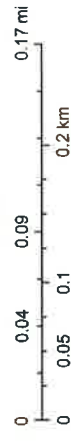
- Override 1
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- Communities
- Public Protected Lands
- Geographic Names
- Municipal Boundaries

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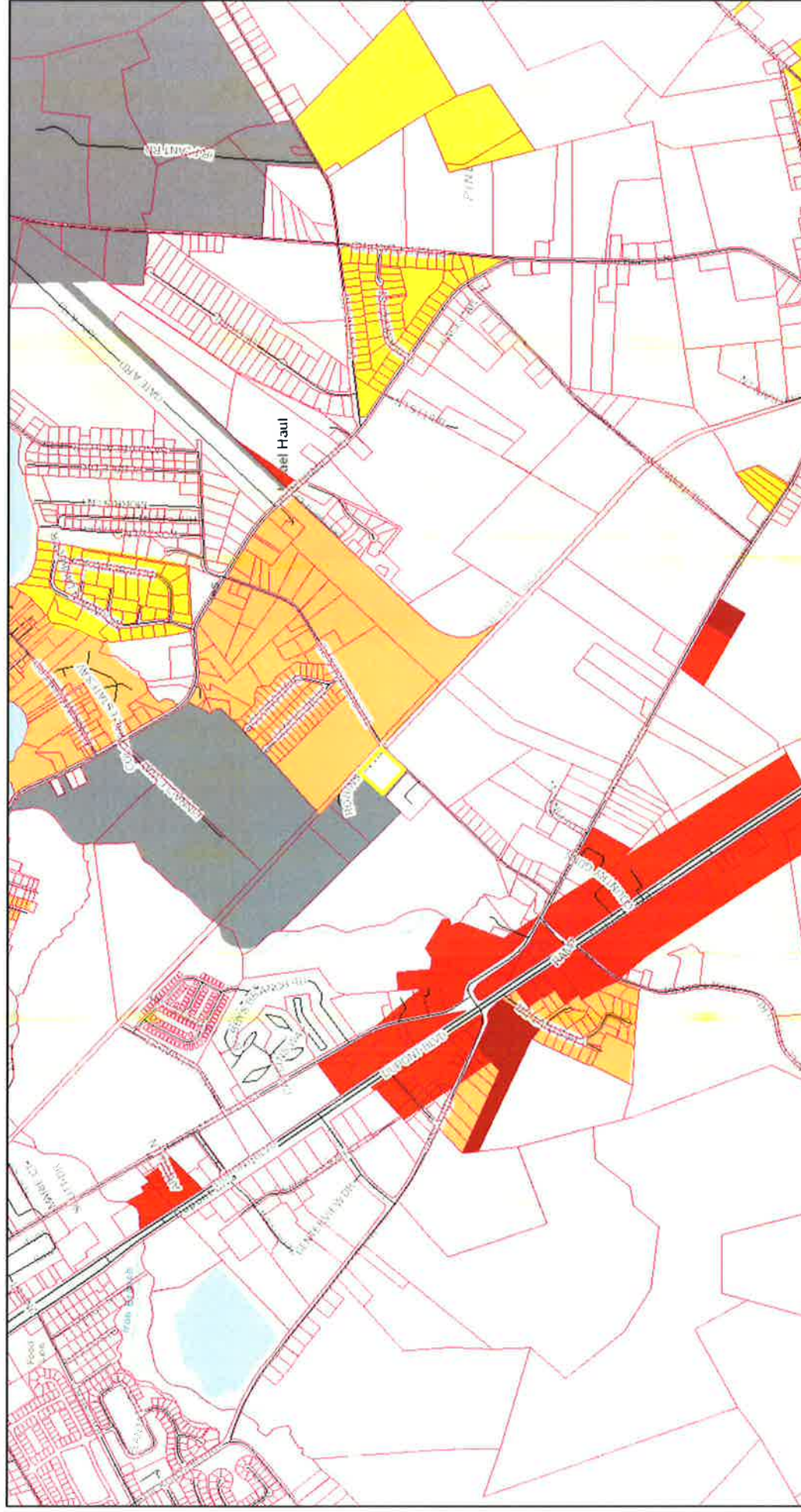
Delaware Geological Survey, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government, FirstMap

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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government, FirstMap

Sussex County



August 29, 2020

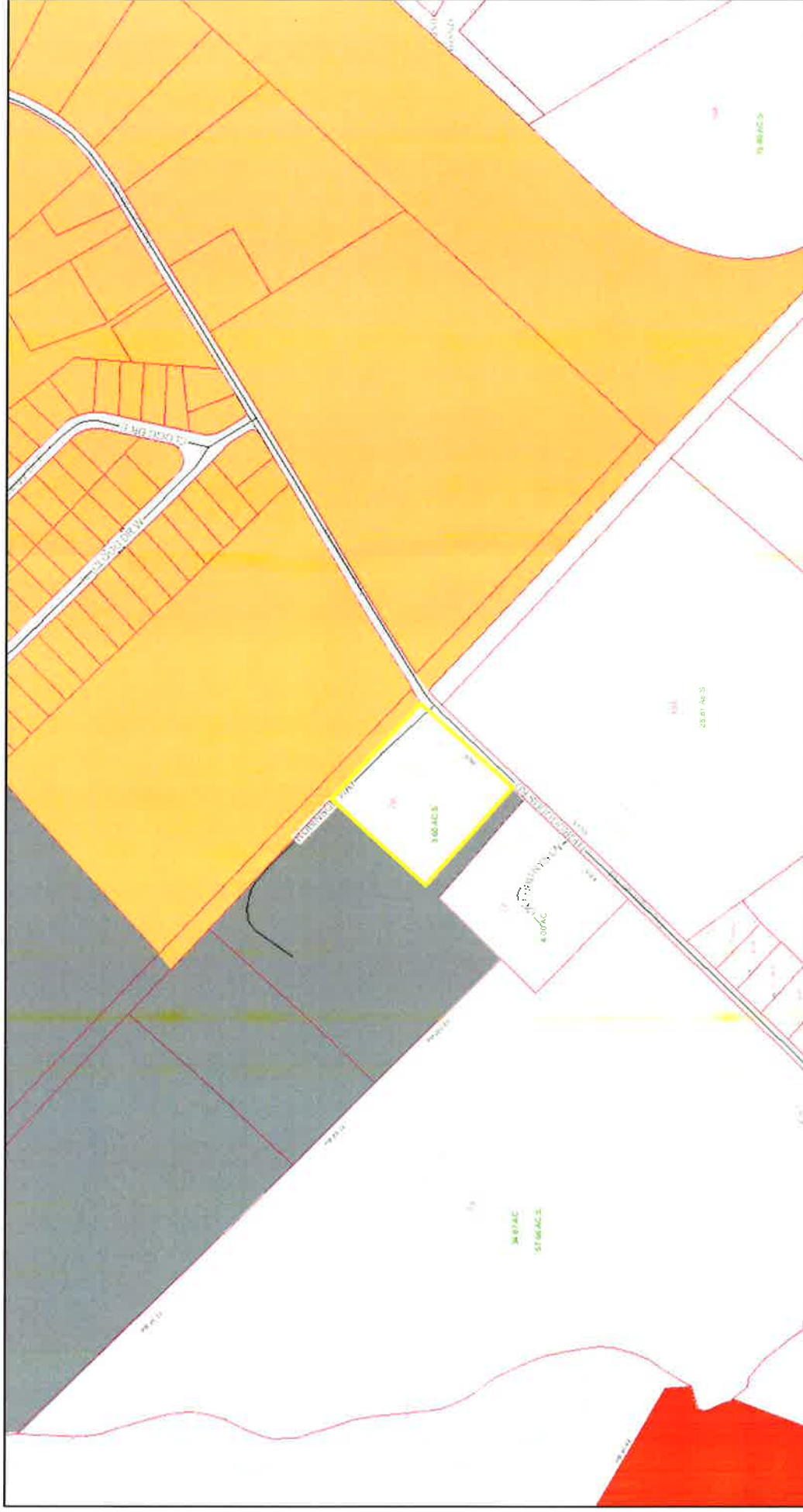
1:18,056



- Override 1
- Override 1
- Tax Parcels
- Streets
- Zoning
- Agricultural Residential - AR-1
- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- Neighborhood Business - B-2
- Business Research - B-3
- General Commercial - C-1
- General Commercial - C-2
- General Commercial - C-3
- General Commercial - C-4
- General Commercial - C-5
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1
- County Boundaries

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government

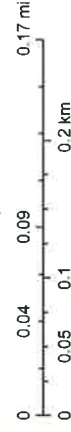
Sussex County



August 29, 2020

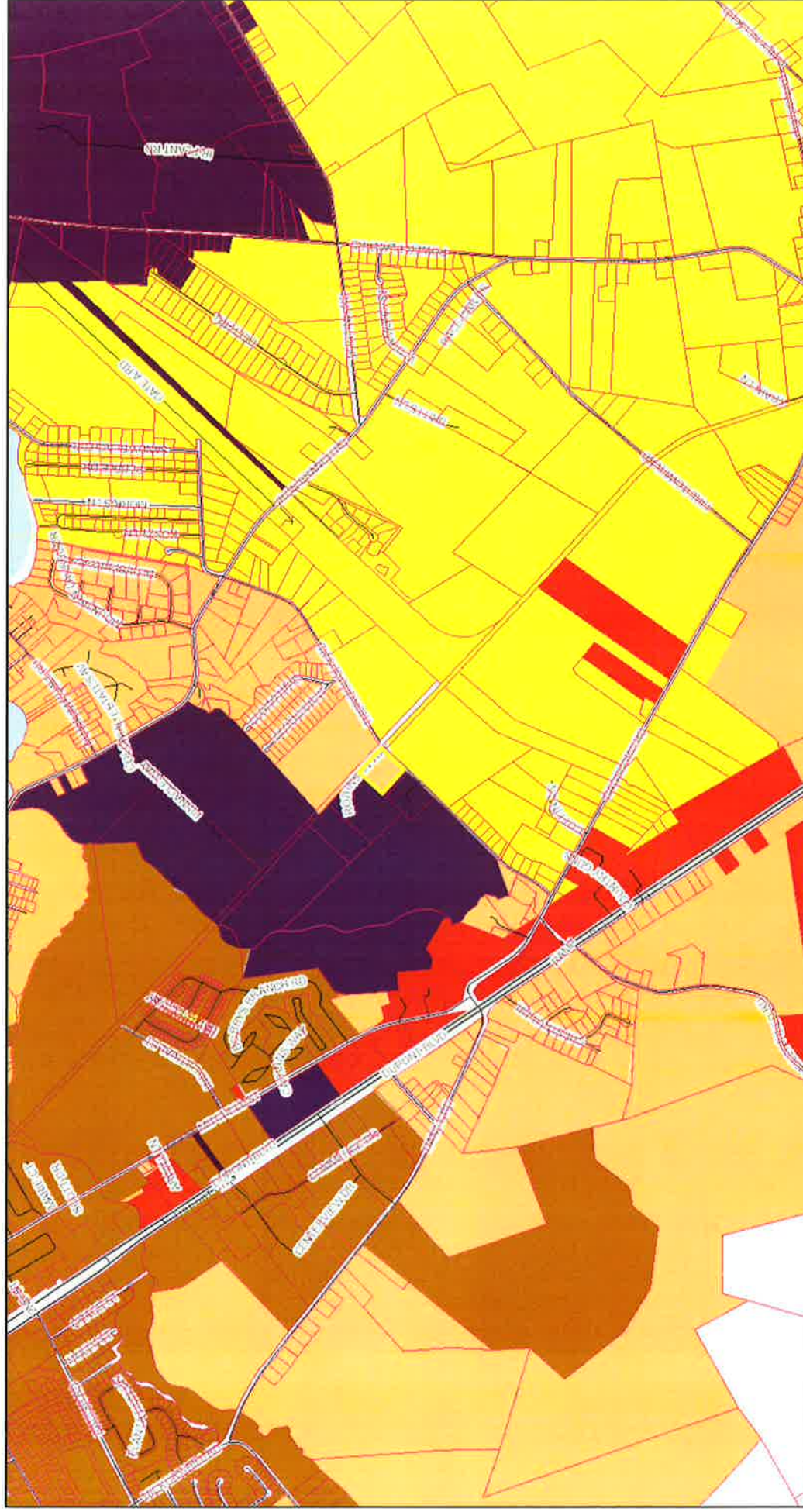
- Override 1
- Override 1
- Tax Parcels
- Streets
- Zoning
- Agricultural Residential - AR-1
- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- Neighborhood Business - B-2
- Business Research - B-3
- General Commercial - C-1
- General Commercial - C-2
- General Commercial - C-3
- General Commercial - C-4
- General Commercial - C-5
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1
- County Boundaries
- Communities
- Public Protected Lands
- Geographic Names
- Municipal Boundaries

1:4,514



Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government, FirstMap

Sussex County



August 29, 2020

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

1:18,056



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

Sussex County



August 29, 2020

1:4,514



- Override 1
- Override 1
- Tax Parcels
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- County Boundaries
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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government, FirstMap

Sussex County



August 29, 2020

- Override 1
- Override 1
- Tax Parcels
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- County Boundaries
- Communities
- Public Protected Lands
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- Municipal Boundaries

1:18,056



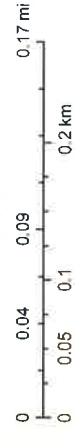
Source: Esri, Maxar, GeoEye, Earthstar, GeoGraphics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Delaware Geological Survey, Sussex County Government, FirstMap

Sussex County



August 29, 2020

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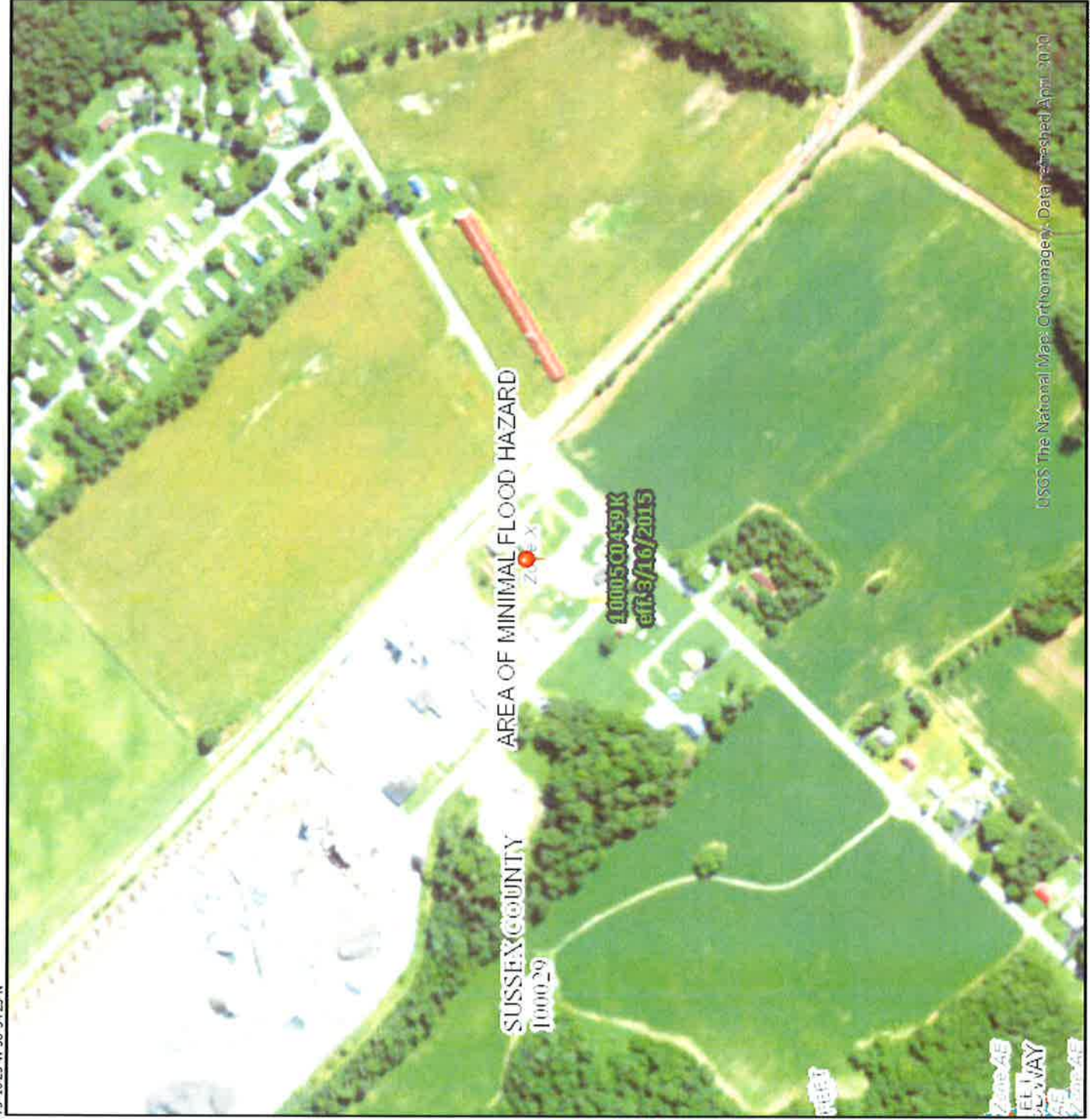
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sussex County, Sussex County Government, FirstMap

Tab “6”

National Flood Hazard Layer FIRMette



75°16'25"W 38°34'25"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth
Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
Zone X
- Future Conditions 1% Annual Chance Flood Hazard
Zone X
- Area with Reduced Flood Risk due to Levee. See Notes.
Zone X
- Area with Flood Risk due to Levee
Zone C

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard
Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard
Zone X

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

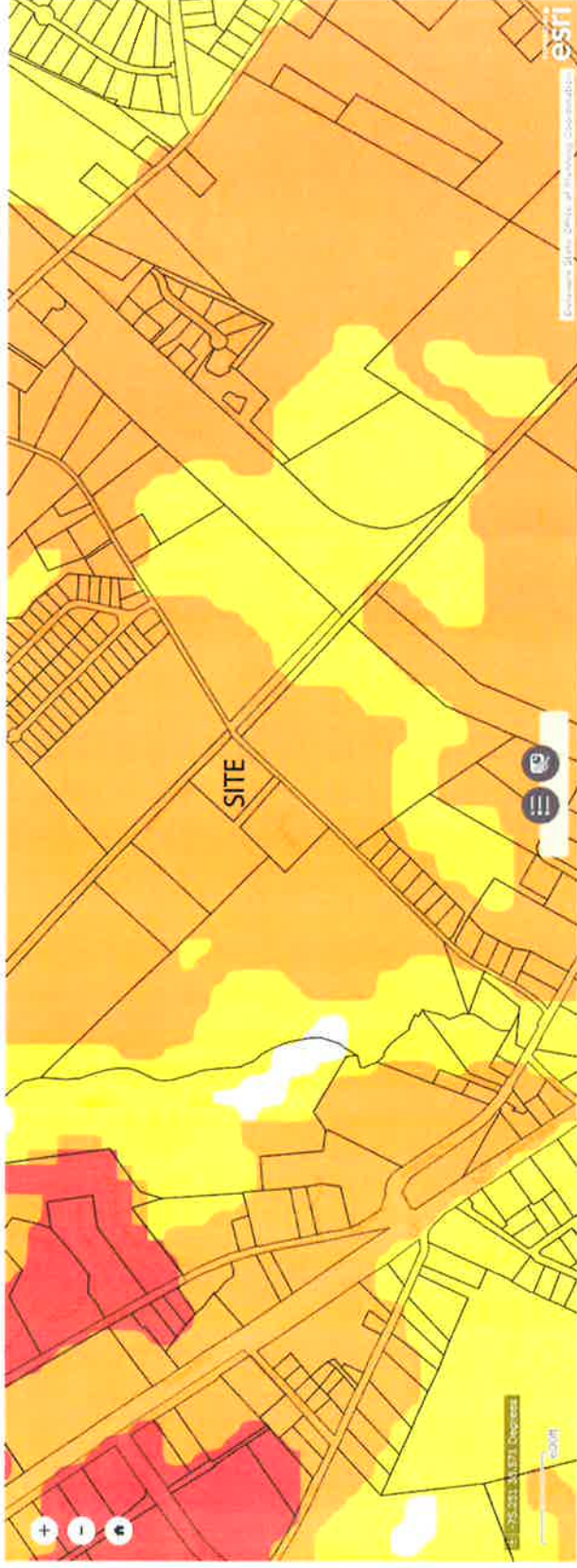
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/29/2020 at 1:24 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

USGS The National Map: Orthimagery. Data refreshed April 2020

Tab “7”



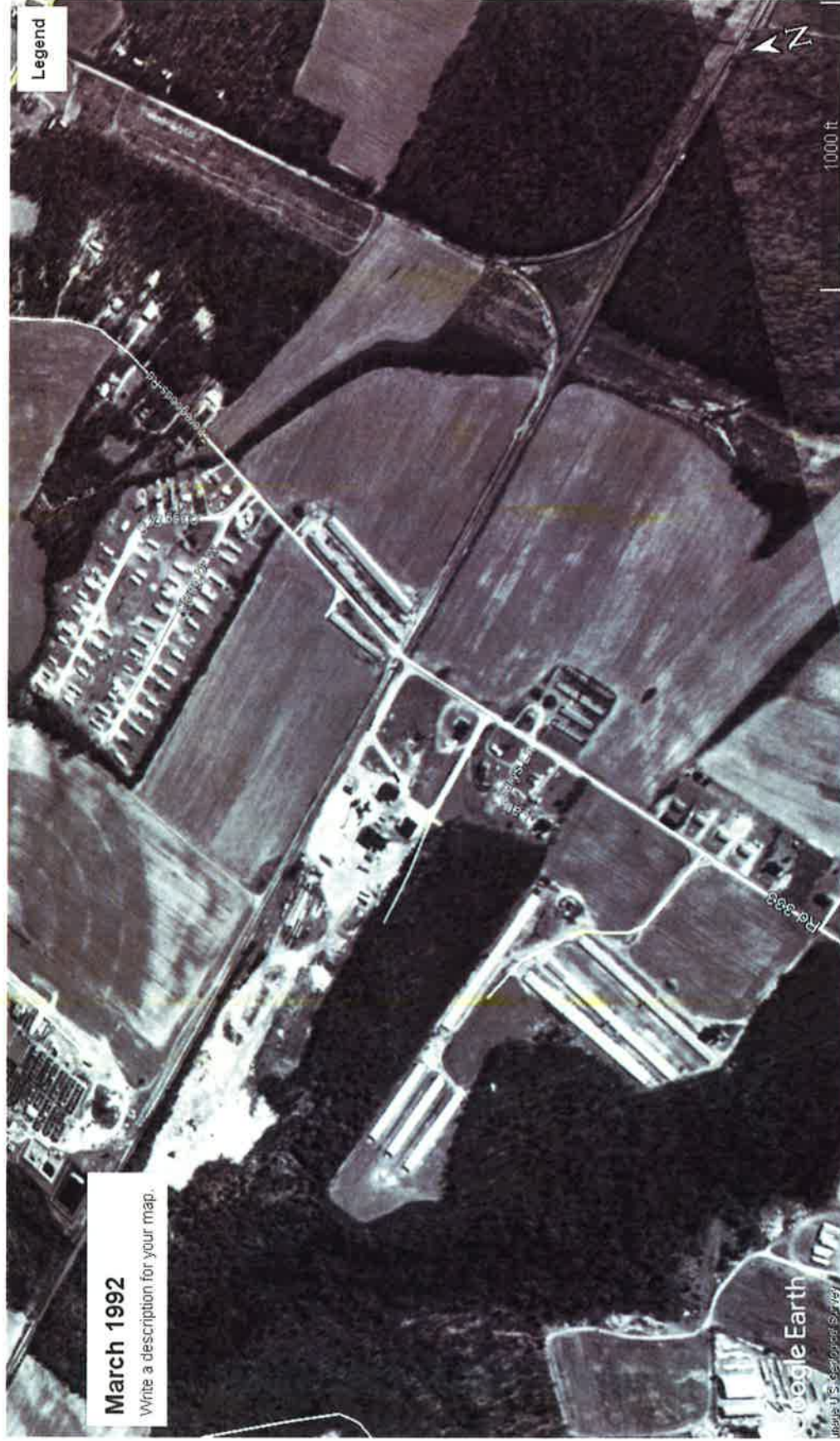
DE_State_Strategies_2020

2020 State Strategies

- 1
- 2
- 3
- 4
- Out of Play

DELAWARE STATE STRATEGIES MAP 2020

Tab “8”



AERIAL IMAGE—March 1992



AERIAL IMAGE—September 2005



AERIAL IMAGE—June 2018

Tab “9”

ORDINANCE NO. 1039

WITH STIPULATIONS

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TRUCK REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 3.48 ACRES, MORE OR LESS

WHEREAS, on the 12th day of May, 1995, a conditional use application, denominated C/U #1120 was filed on behalf of Sara V. Thoroughgood; and

WHEREAS, on the 8th day of June, 1995, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that C/U #1120 be approved; and

WHEREAS, on the 27th day of June, 1995, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of C/U #1120 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Dagsboro Hundred, Sussex County, Delaware, and lying at the northwesterly corner of the intersection of Road 333 and Penn Central Railroad and being more particularly described as follows:

BEGINNING at the northwesterly corner of the intersection of Road 333 and Penn Central Railroad, thence along the right of way of Road 333, south 54°19'23" west 361.12 feet to an iron pipe being a corner for these lands and lands of Thoro-Good's Concrete Co., Inc. thence along said lands the following two courses and distances 1) north 36°25'20" west 420 feet to an iron pipe, thence north 54°19'23" east 361.12 feet to a concrete marker on the right of way of Penn Central Railroad, thence along said right of way south 36°25'20" east 420 feet to said place of beginning, said parcel to contain 3.48 acres more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. No oil changes shall be performed on site.
2. No fuel shall be stored or sold on site.
3. Not more than ten vehicles shall be stored on site at any time.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1039 ADOPTED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 27TH DAY OF JUNE, 1995.


Robin A. Griffith
Clerk of the County Council

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant established by substantial evidence that the proposed use will enable a family trucking business to locate and grow at the facility in an area adjoining Heavy Industrial zoned property.
2. The proposed use will have no adverse impact on the character of the neighborhood, property values therein, traffic or the environment in the area.
3. The proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Tab “10”

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO. 157446
DATE: 1/5/94

RECORDING: 157446
DATE: 1/5/94

OWNER: 333
DATE: 1/5/94

PROJECT: 333
DATE: 1/5/94

ADDRESS: 333
DATE: 1/5/94

CITY: 333
DATE: 1/5/94

STATE: 333
DATE: 1/5/94

ZIP: 333
DATE: 1/5/94

LOT: 333
DATE: 1/5/94

SECTION: 333
DATE: 1/5/94

BLDG. TYPE: 333
DATE: 1/5/94

BLDG. CODE: 333
DATE: 1/5/94

BLDG. NAME: 333
DATE: 1/5/94

BLDG. ADDRESS: 333
DATE: 1/5/94

BLDG. CITY: 333
DATE: 1/5/94

BLDG. STATE: 333
DATE: 1/5/94

BLDG. ZIP: 333
DATE: 1/5/94

BLDG. LOT: 333
DATE: 1/5/94

BLDG. SECTION: 333
DATE: 1/5/94

BLDG. BLDG. TYPE: 333
DATE: 1/5/94

BLDG. BLDG. CODE: 333
DATE: 1/5/94

BLDG. BLDG. NAME: 333
DATE: 1/5/94

BLDG. BLDG. ADDRESS: 333
DATE: 1/5/94

BLDG. BLDG. CITY: 333
DATE: 1/5/94

BLDG. BLDG. STATE: 333
DATE: 1/5/94

BLDG. BLDG. ZIP: 333
DATE: 1/5/94

BLDG. BLDG. LOT: 333
DATE: 1/5/94

BLDG. BLDG. SECTION: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. TYPE: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. CODE: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. NAME: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. ADDRESS: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. CITY: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. STATE: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. ZIP: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. LOT: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. SECTION: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. BLDG. TYPE: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. BLDG. CODE: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. BLDG. NAME: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. BLDG. ADDRESS: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. BLDG. CITY: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. BLDG. STATE: 333
DATE: 1/5/94

BLDG. BLDG. BLDG. BLDG. ZIP: 333
DATE: 1/5/94

APPROVAL AGENCY

157446

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157446

157446

BUILDING CODE
REQUIRE: Yes

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO. 181582

NEEDS TOWN PERMIT: _____ DNRREC # 1004155 S & W Div. of Rev. _____

Route 333 (N) (S) (E) (W) Side: W (N) (S) (E) (W) of 354
Subdiv. or TP: _____ Lot No. _____ Section or Block _____
Town _____ Sheets _____
District No. 233 Map No. 5 Parcel No. 90 MANU. HOME # _____
Frontage: _____ Depth: _____ Acreage: 3.60

ASSESSMENT
I. TYPE OF IMPROVEMENT
Cost of Improvements: 31,870 \$
New Building: _____ Size: 2,000 sq. ft.
Addition: _____
Relocation: Office Building
Accessory Structure: _____
Sign: _____
Rerodding: _____
Other: _____

II. INTERIOR
No. of Bedrooms: 3
No. of Bathrooms: 2
No. of Rooms: 10
Basement: Yes
III. HEATING
Electric: ☒ Gas: ☒
Heat Pump: ☐ FTA: ☐
Air Conditioned: ☒
IV. EXTERIOR WALLS
Vinyl: ☐ Wood: ☐
Alum. Siding: ☒ Other: Brick
V. INTERIOR WALLS
Dry Wall: ☒
Paneling: ☐
Other: _____

VI. FOUNDATION
Full: ☐ Bldg: ☐
Piling: ☐ Conc. Lift: ☐
Other: Pole
VII. FIRE PLACE
Yes: ☐ No: ☒
MASONARY ☐ Metal: ☐
VIII. ROOFING
Built-Up: ☐ Metal: ☒
Asphalt Shingle: ☐
Wood Shingle: ☐
Other: _____

IX. FLOORING
Earth: ☐ Wood: ☐
Carpet: ☐ Vinyl: ☐
Concrete: ☐
Other: _____

ZONING
TYPE OF USE
Existing Use: Office Building - Warehouse
Proposed Use: Office Bldg
Single Family: _____ Commercial: ☒ Other: _____
Zoning District: E1 AR-1 Number of Units: _____

SETBACKS
Front Yard: 40' Side Yard: 15' Rear Yard: 20'
Side yard on side street on corner lot: _____
From any dwelling of other ownership: _____
From any other unit in a manufactured home park: _____
Cannot occupy any lot: _____ % of total lot area
Height: 12' max
Board of Adjustment Case No. _____
Conditional Use Case No. 1120
Approved by Planning & Zoning: Shaw 10-11-97
C/4

FLOOD
Flood Zone: _____
Elevation Required above Mean sea level: _____
To be measured in: _____
1. Finished first floor: _____
2. Lowest structural member: _____
Elevation Certification: ☐ Height Certification: ☐
Breakaway Walls: ☐ Vending: ☐
Placement Survey: ☐
ADDITIONAL REQUIREMENTS & COMMENTS Building Code 1
Fire Marshal OK. SCD M/A 4,500 sq

Name & Address of recipient of Certificate of Compliance (Builder):
Name: _____
Address: _____
City: _____ State: _____ Zip: _____

Signature of Applicant: [Signature] Phone No. 394-8160
Permit Fee: 2450 Date Issued: 10-17-97

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed if construction has begun and commenced in a general manner and not discontinued for season other than those beyond the permit holder's control. Grading or surface shaping of the site shall not be considered as "actual construction". Permit must be renewed prior to expiration date.
ASSESSORS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to the Board of Assessment and Planning and Zoning Agents and Building Code Officials to enter upon and premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property, and concerning same on the signing of this permit.
THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.

Tab “1 1”

PROPOSED FINDINGS OF FACTS
C/Z 1913

1. This is an application to amend the comprehensive zoning map from AR-1 (Agricultural Residential District) to HI-1 (Heavy Industrial District) for 3.60± acres located in Dagsboro Hundred, Sussex County, being situated along the west side of Thorogoods Road (County Road 333), known as 30512 and 30540 Thorogoods Road, also being known and designated as Sussex County Tax District 233, Map 5.00, Parcel 70.00.

2. The applicant and owner of the property is FW & SV Thoroughgood Family Limited Partnership, a Delaware limited partnership.

3. The property is improved and is currently used as a truck repair/mechanics shop.

4. The current use is conducted pursuant to Ordinance No. 1039 adopted by Sussex County Council on June 27, 1995, which ordinance adopted Conditional Use No. 1120 for the Thoroughgoods to operate a family-run truck repair shop. The family's goal is to be able to expand and lease portions of the property for similar uses but this is limited by the stipulations and conditions imposed through Conditional Use No. 1120.

5. In the 2019 Sussex County Comprehensive Plan update, the property is identified for purposes of future land use as being in a Developing Area. The property to the east is also designated as a Developing Area. The properties to the north and west are designated on the Future Land Use Map as being within an Industrial Area. The property to the south is designated on the Future Land Use Map as being within the Coastal Area. All of these areas are Growth Areas within the County's Comprehensive Plan. The Developing Area in which this property is located is a Growth Area and Table 4.5-2 titled "Zoning Districts Applicable to Future Land Use Categories" identifies HI-1 (Heavy Industrial District) as an applicable zoning district for the Developing Area.

6. The guidelines for future growth in the Developing Area states within the permitted uses for this Area that "[p]ortions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks."

7. The property is situated between existing industrial uses, an active railroad and Thorogoods Road. The immediate area has only a few homes.

8. The 2020 Delaware Strategies for State Policies and Spending identify the property as Investment Level 2, which are areas that "have been shown to be the most active portion of Delaware's developed landscape" where "state investments and policies should support and encourage a wide range of uses" and "is the priority for job creation and retention."

9. The purpose of the HI-1 (Heavy Industrial District) is to "provide for a variety of industrial operations" as "[i]t is the intention of the district to preserve the land in the district for industrial use and to exclude new residential or commercial development, except for certain specified uses deemed appropriate adjuncts to industrial operations." The existing and intended use of the property is consistent with these permitted uses. This is also consistent with the immediately adjacent properties.

10. The Zoning Code protects adjacent properties from “potentially hazardous industries” which are only permitted after a separate public hearing before the Board of Adjustment.

11. The Site is not within a floodplain based upon FEMA Map Number 10005C0459K, dated March 16, 2015, showing the entire property as located in an area designated as Zone "X" (unshaded), which is an area determined to be outside the 500-year floodplain.

12. There are no wetlands located on the property.

13. In the immediate area there are asphalt and concrete industrial operations.

14. The proposed conditional use will not increase the congestion of roads or streets as confirmed by DelDOT, which did not require a Traffic Impact Study or Traffic Operations Analysis and determined that the property’s impact would be “negligible” on the adjacent roads. More specifically, DelDOT reviewed the application and issued a letter stating that the proposed land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day, which is below the warrants when a Traffic Impact Study is required. In addition, DelDOT’s review stated that it considered the application’s traffic impact to be “negligible” in the context of DelDOT’s agreement with Sussex County regarding land development coordination. Further, any future site plan will require DelDOT review and approval to provide for safe vehicular and pedestrian movement within the site and entrance approval for access onto Thorogoods Road.

15. The property is served by private (on-site) wells for domestic use and fire protection subject to the review and approval of the Delaware State Department of Natural Resources and Environmental Control (DNREC) and the Delaware Division of Public Health.

16. The property is served by a private (on-site) wastewater disposal system subject to the DNREC’s regulations governing the design, installation and operation of on-site wastewater treatment and disposal systems.

17. As a part of site plan approval for any future use or redevelopment, stormwater management design and permitting will be required; thus assuring neighboring lands will be protected from any land disturbance activity on site.

18. The proposed HI-1 (Heavy Industrial District) zoning classification is in character with the nature of the area, will not adversely affect the neighboring and adjacent properties, and is consistent with the purpose of the HI-1 zoning district.

19. The proposed zoning meets the purpose of the Zoning Ordinance in that it promotes the orderly growth, convenience, order, prosperity and welfare of the County.

20. All factors have been considered and the proposed HI-1 (Heavy Industrial District) classification meets the purposes and goals of the County’s Comprehensive Plan and its Zoning Code. The addition of areas for industrial and adjunct uses permitted in the HI-1 (Heavy Industrial District) zoning district is appropriate for and consistent with this area along Thorogoods Road where these industries already exist. As a result, the proposed HI-1 (Heavy Industrial District) classification is consistent with the Sussex County Comprehensive Land Use Plan.