

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, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: January 13th, 2021

Application: CZ 1939 Gerald R. & Valerie V. Campbell, Trustees

Applicant: Gerald R. & Valerie V. Campbell
P.O. Box 2
Greenwood, DE 19950

Owner: Gerald R. & Valerie V. Campbell
P.O. Box 2
Greenwood, DE 19950

Site Location: 9155 & 9167 Sussex Highway (Route 13).

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

Proposed Zoning: Business Community (B-2) Zoning District

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Ms. Green

School District: Indian River School District

Fire District: Georgetown Fire Department

Sewer: Private (On-Site Septic)

Water: Private (On-Site Well)

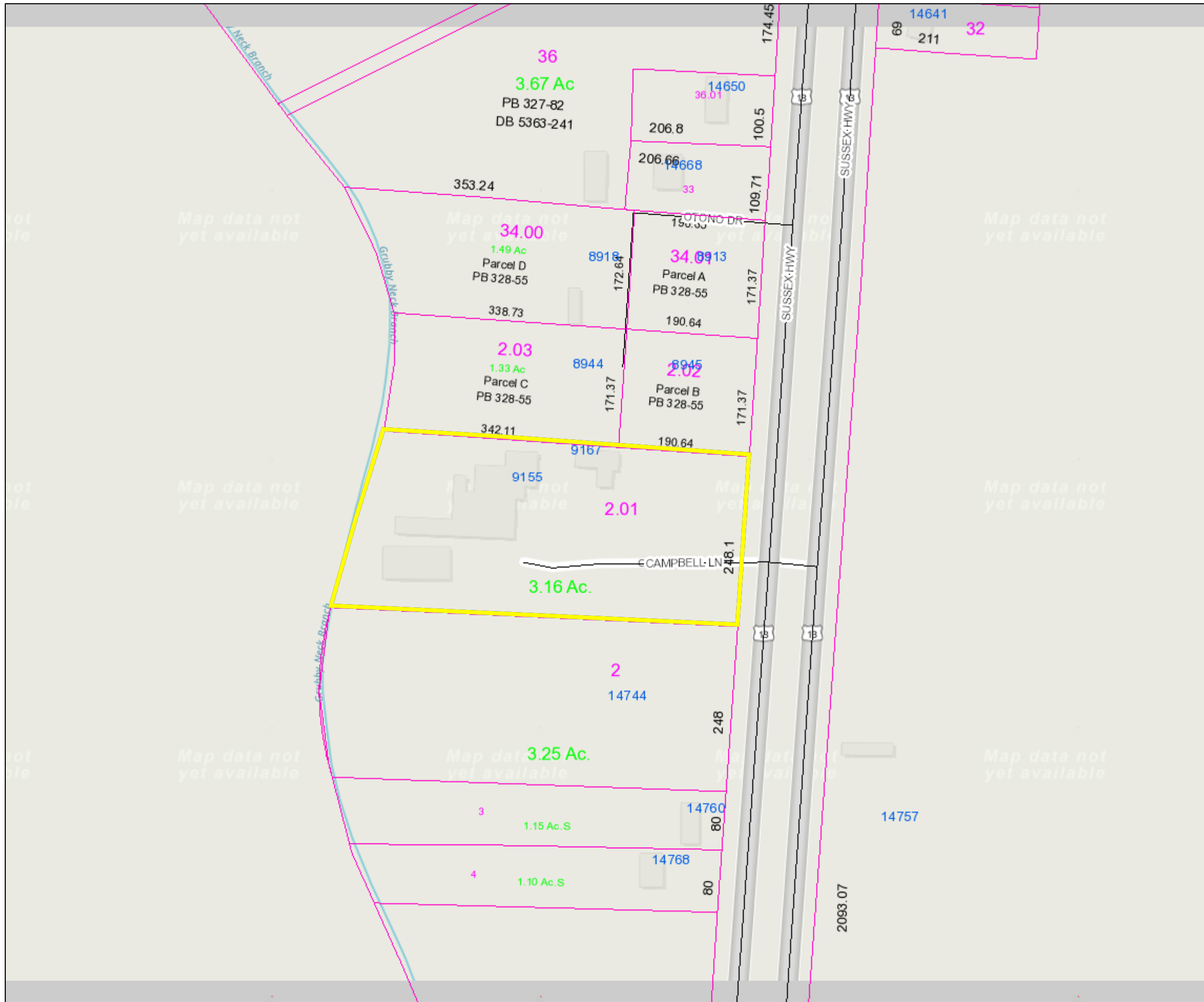
Site Area: 3.16 acres +/-

Tax Map ID.: 530-17.00-2.01





Sussex County

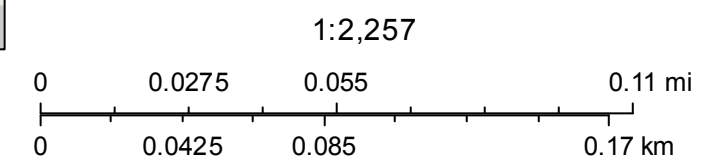


PIN:	530-17.00-2.01
Owner Name	CAMPBELL GERALD R & VALERIE V
Book	3707
Mailing Address	PO BOX 2
City	GREENWOOD
State	DE
Description	W/RT 13
Description 2	4300'S/RT 583
Description 3	N/A
Land Code	

- polygonLayer**

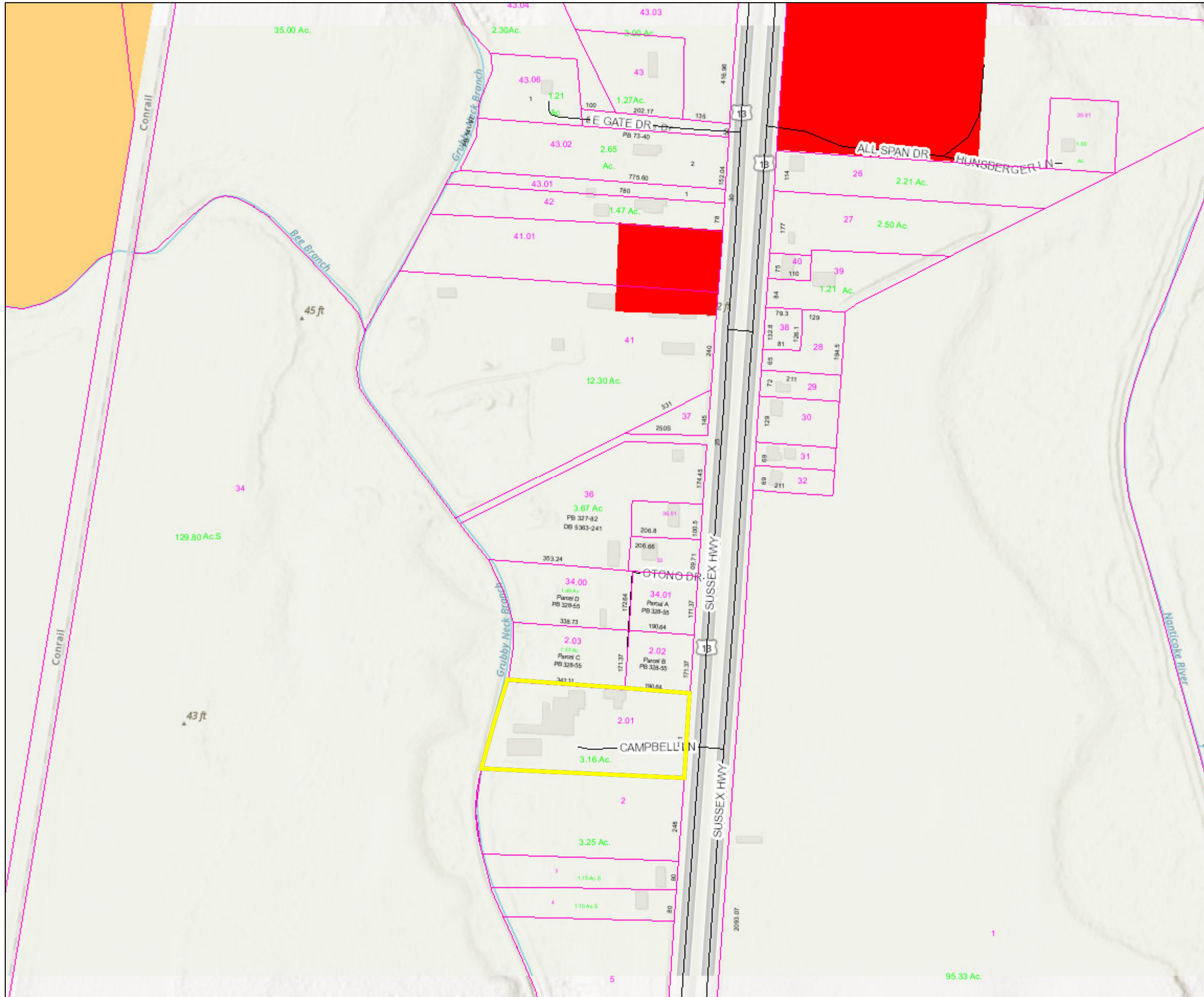
 - Override 1
- polygonLayer**

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





Sussex County



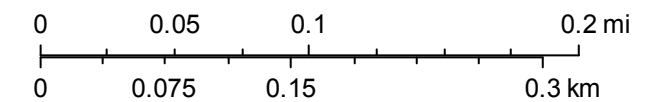
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- Streets

1:4,514



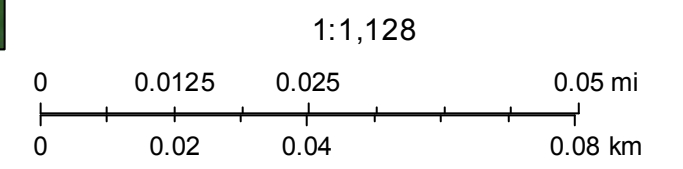


Sussex County



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- Streets
- County Boundaries



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



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Chase Phillips, Planner II. Primary Contact - Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney
Date: January 7th, 2022
RE: Staff Analysis for CZ 1939 Gerald and Valerie Campbell

This memo provides background and an analysis for the Planning Commission to consider as a part of Change of Zone No. 1939 which has been filed on behalf of applicants Gerald R. and Valerie Campbell. This analysis has been completed for the January 13th, 2022 Planning and Zoning Commission meeting, and it should be included in the record. This analysis is subject to comments and information that may be presented during the public hearing.

The request is for Tax Parcel 530-17.00-2.01 to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Business Community (B-2) Zoning District. The property is on the west side of Sussex Highway (Rt. 13), approximately 0.81 of a mile south of Adams Road (S.C.R. 583). The entire parcel is proposed to be rezoned, and the area of this property is 3.16 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) includes a Future Land Use Map that helps determine how land uses should change over time. The Future Land Use Map in the plan indicates that the subject property has a land use designation of "Low Density." The properties to the north, south, east, and west also have the land use designation of "Low Density."

As outlined in the 2018 Sussex County Comprehensive Plan, land designated as Low Density is most suited to accommodate low density, single family housing and to support various agricultural uses. The Comprehensive Plan states that land uses in Low Density areas should either maintain or improve the rural landscape as well as retain open space.

Zoning

The parcel is currently within the Agricultural Residential (AR-1) Zoning District. Each parcel to the north, south, east and west is also within the AR-1 Zoning District.

The 2018 Sussex County Comprehensive Plan organizes zoning districts by their applicability to each Future Land Use category through Table 4.5-2. This table establishes that the Business Community (B-2) Zoning District is an applicable zoning district in the Low Density Area.



Existing Conditional Use and Historical Zoning Map Amendments

This parcel of land received a Conditional Use for a cabinet shop by the Sussex County Council on April 3rd, 1973. This is Conditional Use No. 115. Despite its relatively significant age, staff have no information to suggest that the Conditional Use has ceased or lapsed. Additionally, there is no record of zoning violations associated with the Conditional Use. Lastly, there have been no zoning map amendments within a one-mile radius in the past 10 years.

Transportation

The Delaware Department of Transportation (DelDOT) has completed a Service Level Evaluation Response (SLER) for this proposal. SLERs provide DelDOT with the opportunity to analyze the ways in which traffic may change given a potential change in zoning districts. SLERs, in general, also determine if a Traffic Impact Study (TIS) is required. The SLER for this application was completed on January 21st, 2021 and is attached in the published packet.

Based on the analysis provided, a change from an Agricultural Residential (AR-1) Zoning District to a Business Community (B-2) Zoning District could be considered as consistent with the surrounding land uses and zoning.

File #: CZ 1939
202102734

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

RECEIVED

FEB 24 2021

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)

Conditional Use
Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

9155 Campbell Lane, Bridgeville, DE 19933

Type of Conditional Use Requested:

N/A

Complies w/ FLU map

Change of zone from AR-1 to B-2

Tax Map #: 5-30-17.00-2.01

Size of Parcel(s): 3.16 acres

Current Zoning: AR-1 Proposed Zoning: B-2 / Size of Building: 9,161 sq. ft./500 sq. ft.

Land Use Classification: RES-Residential

Water Provider: N/A-existing on-site well

Sewer Provider: NA - existing on-site septic system

Applicant Information

Applicant Name: Gerald R. & Valerie V. Campbell, Trustees under Revocable Trust Agreements

Applicant Address: c/o John A. Sergovic, Jr., Esq, Sergovic Carmean Weidman McCartney & Owens

City: Georgetown State: Zip Code: 19947

Phone #: (302) 855-1260 E-mail: john@sussexattorney.com

Owner Information

Owner Name: Same as applicants

Owner Address:

City: State: Zip Code:

Phone #: (302) 855-1260 E-mail: john@sussexattorney.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: John A. Sergovic, Jr., Esquire

Agent/Attorney/Engineer Address: Sergovic Carmean Weidman McCartney & Owens, 25 Chestnut Street

City: Georgetown State: DE Zip Code: 19947

Phone #: 302-855-1260 E-mail: john@sussexattorney.com



FNI - CU 115 attached hereto as Exhibit "A."



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: _____

Signature of Owner

X. Gerald R. Campbell

Date: X 1-23-2021

For office use only:

Date Submitted: 2/25/21

Staff accepting application: CS

Location of property: _____

Fee: \$500.00 Check #: 9124

Application & Case #: 202102734

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

NICOLE MAJESKI
SECRETARY

January 21, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Gerald R. and Valerie V. Campbell, Trustees under the Revocable Trust** rezoning application, which we received on December 21, 2020. This application is for an approximately 3.16-acre parcel (Tax Parcel: 530-17.00-2.01). The subject land is located on the west side of US Route 13, approximately 4,300 feet south of Adams Road (Sussex Road 583), south of Greenwood. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to B-2 (Neighborhood Business).

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of US Route 13 where the subject land is located, which is from Newton Road (Sussex Road 582) to Governors Avenue (Sussex Road 647), is 20,855 vehicles per day.

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.

The subject property is adjacent to US Route 13, thereby is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of the existing highway by minimizing and consolidating the number of direct driveway access points on the arterial highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. According to the Office of State Planning, *Strategies for State Policies and Spending document*, the property is located within a Level 4 Investment Area.



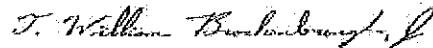
Mr. Jamie Whitehouse
Page 2 of 2
January 21, 2021

In a Level 4 Investment Area, State policies encourage the preservation of a rural lifestyle and discourage new development. Per Program policy, if a site has an existing entrance, the entrance can be expanded to accommodate a maximum of 100 vehicle trips per day (vpd), entrance improvements may be required to accommodate the 100 vpd. This site has an existing entrance; therefore the site's future trip generation would be permitted to increase by 100 vpd. The trip generation is determined by using the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The Corridor Capacity Preservation Program policy can be viewed on Department's website at www.delldot.gov.

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 Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence or Mr. Thomas Felice, at (302) 760-2338, if you have questions concerning the Corridor Capacity Preservation Program.

Sincerely,



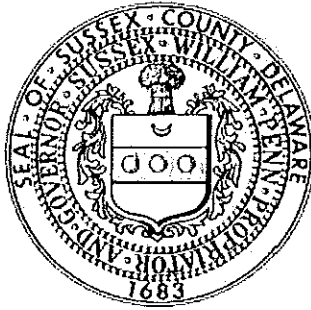
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Gerald R. and Valerie V. Campbell, Trustees under the Revocable Trust, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Expedited Review Team Lead, Development Coordination
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Thomas Felice, Corridor Capacity Preservation Program Manager, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furrato, Project Engineer, Development Coordination

PLANNING & ZONING COMMISSION

MARTIN L. ROSS, CHAIRMAN
KIM HOEY STEVENSON, VICE CHAIRMAN
R. KELLER HOPKINS
DOUGLAS B. HUDSON
ROBERT C. WHEATLEY



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JANELLE M. CORNWELL, AICP
DIRECTOR

SERVICE LEVEL

EVALUATION REQUEST

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: December 21, 2020

Site Information:

Site Address / Location: 9155 Campbell Lane, Bridgeville, DE 19933

Tax Parcel Number: 5-30-17.00-2.01

Current Zoning: AR-1/ with C.U. No. 115¹

Proposed Zoning: B-2

Land Use Classification: RES

Proposed Use(s): Seeking a rezoning to B-2. There is a business operating on the property under C.U. 115.

Square Footage of any proposed buildings or number of units: _____

Application Information:

Applicant's Name: Gerald R. and Valerie V. Campbell, Trustees under the Revocable Trust Agreements dated 8/27/09, c/o John A. Sergovic, Jr., Esquire, Sergovic Carmean Weidman McCartney & Owens, P.A., 25 Chestnut Street, Georgetown, DE 19947

Applicant's Address: 9155 Campbell Lane

City: Bridgeville State: DE Zip: 19933

Applicant's Attorney's Phone Number: 302-855-1260 (John A. Sergovic, Jr., Esq.)

Applicant's Attorney's Email: john@sussexattorney.com

¹ CU 115 approval attached hereto as Exhibit "1."

RECEIVED

DEC 21 2020

SUSSEX COUNTY
PLANNING & ZONING

On a motion by Councilman Chandler, seconded by Councilman Hill, be it,

RESOLVED, that the application of Gerald Campbell for a conditional use of land in an ARI Agricultural Residential District located on the westerly side of Route 13, 1.1 miles north of Route 584, .8 mile south of Route 583, a public hearing for which was held April 3, 1973 be and the same is hereby granted:

ALL that certain plot, piece or parcel of land situated in North West Fork Hundred, Sussex County, Delaware bounded and described as follows:

BEGINNING at a concrete monument located on the westerly right of way of Route 13, .8 mile south of Route 583 being corner of these lands and lands now or formerly of Theodore Quail; thence North 77° 30' West 510.75 feet to a pipe located 22 feet more or less east of centerline of Bee Branch; thence with the line of Bee Branch South 21° 45' West 251.37 feet to a pipe located 25 feet east of centerline of Bee Branch, point being on line of these lands and lands now or formerly of Eretheia H. Evans; thence South 77° 30' East 551.15 feet along said Evans line to a concrete monument located at the westerly right of way of Route 13; thence North 12° 30' East 248.10 feet by and along westerly right of way of Route 13 to the point and place of beginning and containing 3.158 acres more or less.

and be it

FURTHER RESOLVED, that this Conditional Use is granted subject to compliance with the Comprehensive Zoning Ordinance of Sussex County and the following:

Site development plan required approval of Planning and Zoning Commission. It is stipulated by this resolution that no commercial activity be within 300 feet of the right of way of Route 13.

Ingress and Egress location required to have approval by Division of Highways.

Upon a vote being taken, the result was:

President of County Council, Cannon	Voting yes
Councilman Benson	Voting yes
Councilman Hill	Voting yes
Councilman Chandler	Voting yes
Councilman Timmons	Voting yes

Date

April 4, 1973

WRITTEN SUBMISSION
OF
GERALD R. AND VALERIE V. CAMPBELL

CZ NO. 1939

October 28, 2021

RECEIVED
OCT 18 2021
SUSSEX COUNTY
PLANNING & ZONING

John A. Sergovic, Jr., Esquire
Sergovic Carmean Weidman
McCartney & Owens, P.A.
25 Chestnut St.
P.O. Box 751
Georgetown, DE 19947
(302) 855-1260

INDEX
GERALD R. AND VALERIE V. CAMPBELL
APPLICATION FOR CHANGE OF ZONE NO. 1939

- A. Application**
- B. Deed whereby the Applicants acquired the property**
- C. Ordinance approving Conditional Use No. 115**
- D. Drawing**
- E. Aerial photograph**
- F. Compliance with Land Use Plan prepared by Sergovic Carmean Weidman
McCartney & Owens, P.A.**
- G. Service Level Evaluation Request**
- H. DOT Response to Service Level Evaluation Request**
- I. Photographs of nearby uses**
- J. Power of Attorney of Pamela Herrmann dated August 5, 2021, appearing on behalf
of the applicants, her parents.**
- K. Proposed Findings**

File #: C21939

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

RECEIVED

FEB 24 2021

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)

Conditional Use
Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

9155 Campbell Lane, Bridgeville, DE 19933

Type of Conditional Use Requested:

N/A

Tax Map #: 5-30-17.00-2.01

Size of Parcel(s): 3.16 acres

Current Zoning: AR-1

Proposed Zoning: B-2

Size of Building: 9,161 sq. ft./500 sq. ft.

Land Use Classification: RES-Residential

Water Provider: N/A-existing on-site well

Sewer Provider: NA - existing on-site septic system

Applicant Information

Applicant Name: Gerald R. & Valerie V. Campbell, Trustees under Revocable Trust Agreements

Applicant Address: c/o John A. Sergovic, Jr., Esq, Sergovic Carmean Weidman McCartney & Owens

City: Georgetown

State: _____

ZipCode: 19947

Phone #: (302) 855-1260

E-mail: john@sussexattorney.com

Owner Information

Owner Name: Same as applicants

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: (302) 855-1260

E-mail: john@sussexattorney.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: John A. Sergovic, Jr., Esquire

Agent/Attorney/Engineer Address: Sergovic Carmean Weidman McCartney & Owens, 25 Chestnut Street

City: Georgetown

State: DE

Zip Code: 19947

Phone #: 302-855-1260

E-mail: john@sussexattorney.com



FN1 - CU 115 attached hereto as Exhibit "A."



AFFIDAVIT

Gerald R. & Valerie V. Campbell
Name of Applicant

Petition No.

The below listed persons are the true and lawful owners of all lands lying within two hundred (200) feet of all the boundaries of the property which is the subject of the above mentioned petitioner. I do solemnly swear that the names and addresses are true and correct and represent a complete listing of all owners of lands within two hundred (200) feet of the subject property which is the subject of this petition.

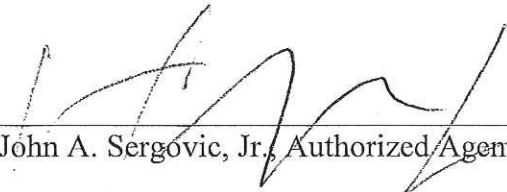
Name: Greenwood Farms, LLC
Address: 6 Pelicans Way South
Bethany Beach, DE 19930
SCTM: 5-30-13.00-34.00

Name: James D. West
Address: 6825 Coleman Ave.
Salisbury, MD 21804
SCTM: 5-30-17.00-2.02 and 530-14.00-34.00

Name: Myrna Hastings
Address: 6942 Milford Harrington Hwy.
Harrington, DE 19952
SCTM: 5-30-17.00-3.00

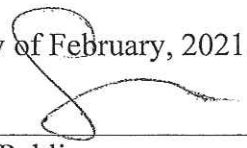
Name: Tara Evans
Address: 14744 Sussex Highway
Bridgeville, DE 1993
SCTM: 5-30-17.00-2.00

Name: Robert W. Hunsberger Revocable
Trust, Suzanne Hunsberger for Life
Address: 14478 Sugar Hill Road
Greenwood, DE 19950
SCTM: 5-30-17.00-1.00



John A. Sergovic, Jr., Authorized Agent

SWORN to and subscribed before me this 24 day of February, 2021.



Notary Public

Shannon Carmean Burton
Attorney
Admitted to the Delaware Bar 12-15-03
Bar ID #004386
Uniform Law on Notarial Acts
Pursuant to 29 Del C Sec. 4323(a)(3)

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.

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Signature of Applicant/Agent/Attorney

Date: _____

Signature of Owner

X. Gerald R. Campbell

Date: X 1-23-2021

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: _____

On a motion by Councilman Chandler, seconded by Councilman Hill, be it,

RESOLVED, that the application of Gerald Campbell for a conditional use of land in an ARI Agricultural Residential District located on the westerly side of Route 13, 1.1 miles north of Route 584, .8 mile south of Route 583, a public hearing for which was held April 3, 1973 be and the same is hereby granted:

ALL that certain plot, piece or parcel of land situated in North West Fork Hundred, Sussex County, Delaware bounded and described as follows:

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and be it

FURTHER RESOLVED, that this Conditional Use is granted subject to compliance with the Comprehensive Zoning Ordinance of Sussex County and the following:

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Ingress and Egress location required to have approval by Division of Highways.

Upon a vote being taken, the result was:

President of County Council, Cannon	Voting yes
Councilman Benson	Voting yes
Councilman Hill	Voting yes
Councilman Chandler	Voting yes
Councilman Timmons	Voting yes

Date April 4, 1973

Exhibit "A"

Georgetown.
1 week--April 12th, 1973

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that on April 3, 1973, the Sussex County Council approved the following applications for Conditional Uses and Amendments to the Zoning Map:

- a) Application by Robert Baysinger for an extension of an existing mobile home park in an AR Agricultural Residential District in Little Creek Hundred located 401 feet off Road 419, 1 mile east of Route 13 and containing 4.547 acres.
- b) An application by Gerald Campbell for a cabinet shop in an AR Agricultural Residential District in North West Fork Hundred on the west side of Route 13, 1.1 mile north of Road 584, .8 mile south of Road 583 and containing 3.158 acres.
- c) Application by Hayward R. Daisey for a barber shop in an AR Agricultural Residential District in Baltimore Hundred on the south side of Road 361, approximately 1500 feet north of Road 368 and containing 7.865 acres.
- d) Application by John Vallerani for a restaurant in an MR Medium Density Residential District in Broadkill Hundred on the northwesterly corner of Roads 16 and 5, containing 1.2 acres.
- e) Application by Barn, Inc. for a mobile home sales office in an AR Agricultural Residential District on Lewes and Rehoboth Hundred on Lot #1 in Nassau Park located north of Route 18, west of Route 14.
- f) Application by New Market Village, Inc. for an addition to an existing mobile home park in an AR Agricultural Residential District in Cedar Creek Hundred on the south side of Road 231, 1 mile east of Road 226 containing 99.5 acres.
- g) Application to amend the zoning map by changing from AR1 Agricultural Residential to AR2 Agricultural Residential District in Georgetown Hundred, on the south side of Route 18, 3,035 feet west of Road 254 being lands of J. Floyd Lingo and containing 52.275 acres more or less.

Text and maps of these applications may be examined by any interested parties in the Planning and Zoning Office, Room 112, Court House, Georgetown, Delaware.

33996

BK: 3707 PG: 208

Tax Parcel # 5 - 30 - 17.00 - 2.01
Prepared by: David W. Baker, Esq., P. A.
P.O. Box 551, 109 S. Race St.
Georgetown, Delaware 19947
Return to: GERALD R. CAMPBELL
VALERIE V. CAMPBELL
P.O. Box 2
Greenwood, Delaware 19950

NO TITLE OR LIEN SEARCH
PERFORMED - NONE REQUESTED

This Deed, made this 27th day of
AUGUST, in the year of our Lord Two Thousand Nine.

Between GERALD R. CAMPBELL and VALERIE V. CAMPBELL, husband and wife, of P.O. Box 2, Greenwood, Delaware 19950, parties the first part,

-and-

GERALD R. CAMPBELL, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF GERALD R. CAMPBELL DATED 8/27/09, as to an undivided one-half interest, and VALERIE V. CAMPBELL, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF VALERIE V. CAMPBELL DATED 8/27/09, as to an undivided one-half interest, of P.O. Box 2, Greenwood, Delaware 19950, parties of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said parties of the second part, its Successors and Assigns,

ALL that certain piece, parcel and tract of land situate in North West Fork Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

BEGINNING at a concrete monument, said concrete monument being located on the Western edge of the right of way line of the South bound lane of U.S. Route #13; said concrete monument also being located at a common corner of the lands now or formerly owned by Eretheia H. Evans; thence continuing by and along the right of way of the said U.S. Route #13, North 12° 13' 30" East

5

5

BK: 3707 PG: 209

248.10 feet to a concrete monument, a corner for this lot and lands now or formerly of Theodore Quail, Jr.; thence turning and running by and along the common boundary line of said lot North 77° 30' West 510.75 feet to a pipe; thence continuing along the said line 22 feet, more or less, to the center line of Bee Branch; thence turning and running down the center line of Bee Branch, a "tie line" distance of South 21° 45' West 251.37 feet to a point; thence turning and running South 77° 30' East 25 feet more or less to a pipe; thence continuing along the same line 551.15 feet to a concrete monument, home to the place of beginning and said to contain 3.158 acres, more or less, as surveyed by Thomas A. Temple, Jr., Registered Surveyor, on October 18, 1972.

BEING the same lands conveyed unto GERALD R. CAMPBELL and VALERIE V. CAMPBELL, husband and wife, AS TENANTS IN COMMON AND NOT AS TENANTS BY THE ENTIRETY, by deed of GERALD R. CAMPBELL and VALERIE V. CAMPBELL, husband and wife, dated the 18th day of May, 1988, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1566, at Page 306.

Said Trustees shall have and hold the herein described property in fee simple and with full power and authority in said Trustees to sell, contract, exchange, convey, mortgage, encumber, lease, subdivide, or otherwise dispose of and deal with said property.

No party dealing with the Trustees in relation to said property in any manner whatsoever shall be obligated to (a) see to the application of any purchase money, rent or money borrowed or otherwise advanced on the property, (b) to see that the terms of this trust have been complied with, (c) to inquire into the authority, necessity or expediency of any act of the Trustee, or (d) be privileged to inquire into any of the terms of the trust agreement.

Every deed, mortgage, lease, or trust or other instrument executed by the Trustees in relation to the property shall be conclusive evidence in favor of every person claiming any right, title or interest thereunder (a) that at the time of the delivery thereof, this deed was in full force and effect, (b) that such instrument was executed in accordance with the trust, terms and conditions thereof and of the trust agreement and is binding upon all beneficiaries thereunder, (c) that the Trustees are duly authorized and empowered to execute and deliver every such instrument, and (d) if such conveyance has been made by a successor or successors in trust, or a Trustee or Trustees have been substituted, that such successor or successors have been properly and are fully vested with all the right, title, estate,

BK: 3707 PG: 210

powers and duties of his or her predecessor in trust. The Trustees shall have no individual liability or obligation whatsoever arising from their ownership as Trustees of the legal title to said property or with respect to any act done or contract entered into or indebtedness incurred by their dealing with said property or in otherwise acting as such Trustees except only so far as said trust property and any trust funds in actual possession of the Trustees shall be applicable to the payment and discharge thereof.

BK: 3707 PG: 211

IN WITNESS WHEREOF, the parties of the first part have hereunto set its Hands and Seals the day and year first above written.

[Signature]
Witness

Gerald R. Campbell (Seal)
GERALD R. CAMPBELL

[Signature]
Witness

Valerie V. Campbell (Seal)
VALERIE V. CAMPBELL

STATE OF DELAWARE :
: SS.
COUNTY OF SUSSEX :

Recorder of Deeds
John F. Brady
Sep 02, 2009 01:44P
Sussex County
Doc. Surcharge Paid

BE IT REMEMBERED, that on this 27th day of August, A.D. 2009 personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, GERALD R. CAMPBELL and VALERIE V. CAMPBELL, parties 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.

DAVID W. BAKER
ATTORNEY AT LAW
NOTARY PUBLIC - STATE OF DELAWARE
My Commission Has No Expiration
29 Del. C. § 4323(a)(3)

[Signature] (SEAL)
Notary Public

RECEIVED

SEP 02 2009
ASSESSMENT DIVISION
OF SUSSEX COUNTY

Consideration: .00

County .00
State .00
Town Total .00
Received: Mary W Sep 02, 2009

On a motion by Councilman Chandler, seconded by Councilman Hill, be it,

RESOLVED, that the application of Gerald Campbell for a conditional use of land in an ARI Agricultural Residential District located on the westerly side of Route 13, 1.1 miles north of Route 584, .8 mile south of Route 583, a public hearing for which was held April 3, 1973 be and the same is hereby granted:

ALL that certain plot, piece or parcel of land situated in North West Fork Hundred, Sussex County, Delaware bounded and described as follows:

BEGINNING at a concrete monument located on the westerly right of way of Route 13, .8 mile south of Route 583 being corner of these lands and lands now or formerly of Theodore Quail; thence North 77° 30' West 510.75 feet to a pipe located 22 feet more or less east of centerline of Bee Branch; thence with tie line of Bee Branch South 21° 45' West 251.37 feet to a pipe located 25 feet east of centerline of Bee Branch, point being on line of these lands and lands now or formerly of Eretheia H. Evans; thence South 77° 30' East 551.15 feet along said Evans line to a concrete monument located at the westerly right of way of Route 13; thence North 12° 30' East 248.10 feet by and along westerly right of way of Route 13 to the point and place of beginning and containing 3.158 acres more or less.

and be it

FURTHER RESOLVED, that this Conditional Use is granted subject to compliance with the Comprehensive Zoning Ordinance of Sussex County and the following:

Site development plan required approval of Planning and Zoning Commission. It is stipulated by this resolution that no commercial activity be within 300 feet of the right of way of Route 13.

Ingress and Egress location required to have approval by Division of Highways.

Upon a vote being taken, the result was:

President of County Council, Cannon	Voting yes
Councilman Benson	Voting yes
Councilman Hill	Voting yes
Councilman Chandler	Voting yes
Councilman Timmons	Voting yes

Date April 4, 1973

C'town.
1 week--April 12th, 1973

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that on April 3, 1973, the Sussex County Council approved the following applications for Conditional Uses and Amendments to the Zoning Map:

- a) Application by Robert Baysinger for an extension of an existing mobile home park in an AR Agricultural Residential District in Little Creek Hundred located 401 feet off Road 419, 1 mile east of Route 13 and containing 4.547 acres.
- b) An application by Gerald Campbell for a cabinet shop in an AR Agricultural Residential District in North West Fork Hundred on the west side of Route 13, 1.1 mile north of Road 584, .8 mile south of Road 583 and containing 3.158 acres.
- c) Application by Hayward R. Daisey for a barber shop in an AR Agricultural Residential District in Baltimore Hundred on the south side of Road 361, approximately 1500 feet north of Road 368 and containing 7.865 acres.
- d) Application by John Vallerani for a restaurant in an MR Medium Density Residential District in Broadkill Hundred on the northwesterly corner of Roads 16 and 5, containing 1.2 acres.
- e) Application by Barn, Inc. for a mobile home sales office in an AR Agricultural Residential District on Lewes and Rehoboth Hundred on Lot #1 in Nassau Park located north of Route 18, west of Route 14.
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Text and maps of these applications may be examined by any interested parties in the Planning and Zoning Office, Room 112, Court House, Georgetown, Delaware.

RT 13 S

Fence

Flag Line

Fence

300 ft
x
100 ft



10 ft
x
100 ft

Packing

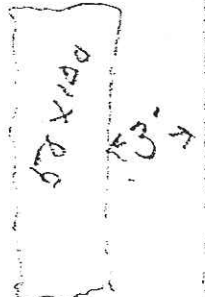
6 ft

100 ft
x
100 ft

Shop

91 ft
39 ft

loading



20 ft x 25 ft

Ditch

Google Maps 9155 Campbell Ln



Google

Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021

50 ft

COMPLIANCE WITH LAND USE PLAN

Although the property is located in a Low Density Area as established by the Comprehensive Plan Update, 2018, it is slightly north of an Industrial Area and slightly south of a Commercial Area in the 2045 Future Land Use Map of the 2018 Sussex County Comprehensive Land Use Plan. The 2018 Sussex County Comprehensive Plan (“2018 Comp. Plan”) at page 4-8, states: “This Future Land Use Plan revises and expands the existing planning areas. These planning areas provide the logic and rationale for the County’s zoning, which is one of the primary purposes of a comprehensive plan. However, it is important to clarify that these land use classifications are not zoning districts, and they often include multiple zoning districts within them. Also, it is important to recognize that other factors come into play when determining which zoning districts are appropriate for each land use classification.”

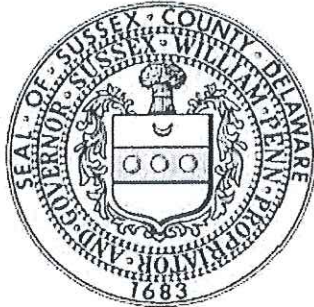
Further, in a Low Density Area, the 2018 Comprehensive Plan provides at page 4-19: “The primary uses envisioned in Low Density Area are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas. Institutional and commercial uses may be appropriate depending on surrounding uses.”

Since the property has been devoted to land use as a cabinet shop for 48-years, it would appear that such a use has been in support of agricultural activities and homes, or it would not operate in its existing location for as long as it has.

Agriculture uses and homes are the types of uses that have been served for 48-years of the property being used as a cabinet shop.

PLANNING & ZONING COMMISSION

MARTIN L. ROSS, CHAIRMAN
KIM HOEY STEVENSON, VICE CHAIRMAN
R. KELLER HOPKINS
DOUGLAS B. HUDSON
ROBERT C. WHEATLEY



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JANELLE M. CORNWELL, AICP
DIRECTOR

SERVICE LEVEL

EVALUATION REQUEST

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: December 21, 2020

Site Information:

Site Address / Location: 9155 Campbell Lane, Bridgeville, DE 19933

Tax Parcel Number: 5-30-17.00-2.01

Current Zoning: AR-1/ with C.U. No. 115¹

Proposed Zoning: B-2

Land Use Classification: RES

Proposed Use(s): Seeking a rezoning to B-2. There is a business operating on the property under C.U. 115.

Square Footage of any proposed buildings or number of units: _____

Application Information:

Applicant's Name: Gerald R. and Valerie V. Campbell, Trustees under the Revocable Trust Agreements dated 8/27/09, c/o John A. Sergovic, Jr., Esquire, Sergovic Carmean Weidman McCartney & Owens, P.A., 25 Chestnut Street, Georgetown, DE 19947

Applicant's Address: 9155 Campbell Lane

City: Bridgeville State: DE Zip: 19933

Applicant's Attorney's Phone Number: 302-855-1260 (John A. Sergovic, Jr., Esq.)

Applicant's Attorney's Email: john@sussexattorney.com

¹ CU 115 approval attached hereto as Exhibit "1."

RECEIVED

DEC 21 2020

On a motion by Councilman Chandler, seconded by Councilman Hill, be it,

RESOLVED, that the application of Gerald Campbell for a conditional use of land in an ARI Agricultural Residential District located on the westerly side of Route 13, 1.1 miles north of Route 584, .8 mile south of Route 583, a public hearing for which was held April 3, 1973 be and the same is hereby granted:

ALL that certain plot, piece or parcel of land situated in North West Fork Hundred, Sussex County, Delaware bounded and described as follows:

BEGINNING at a concrete monument located on the westerly right of way of Route 13, .8 mile south of Route 583 being corner of these lands and lands now or formerly of Theodore Quail; thence North 77° 30' West 510.75 feet to a pipe located 22 feet more or less east of centerline of Bee Branch; thence with tie line of Bee Branch South 21° 45' West 251.37 feet to a pipe located 25 feet east of centerline of Bee Branch, point being on line of these lands and lands now or formerly of Eretheia H. Evans; thence South 77° 30' East 551.15 feet along said Evans line to a concrete monument located at the westerly right of way of Route 13; thence North 12° 30' East 248.10 feet by and along westerly right of way of Route 13 to the point and place of beginning and containing 3.158 acres more or less.

and be it

FURTHER RESOLVED, that this Conditional Use is granted subject to compliance with the Comprehensive Zoning Ordinance of Sussex County and the following:

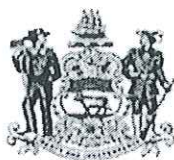
Site development plan required approval of Planning and Zoning Commission. It is stipulated by this resolution that no commercial activity be within 300 feet of the right of way of Route 13.

Ingress and Egress location required to have approval by Division of Highways.

Upon a vote being taken, the result was:

President of County Council, Cannon	Voting yes
Councilman Benson	Voting yes
Councilman Hill	Voting yes
Councilman Chandler	Voting yes
Councilman Timmons	Voting yes

Date April 4, 1973



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

NICOLE MAJESKI
SECRETARY

January 21, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Gerald R. and Valerie V. Campbell, Trustees under the Revocable Trust** rezoning application, which we received on December 21, 2020. This application is for an approximately 3.16-acre parcel (Tax Parcel: 530-17.00-2.01). The subject land is located on the west side of US Route 13, approximately 4,300 feet south of Adams Road (Sussex Road 583), south of Greenwood. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to B-2 (Neighborhood Business).

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of US Route 13 where the subject land is located, which is from Newton Road (Sussex Road 582) to Governors Avenue (Sussex Road 647), is 20,855 vehicles per day.

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.

The subject property is adjacent to US Route 13, thereby is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of the existing highway by minimizing and consolidating the number of direct driveway access points on the arterial highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. According to the Office of State Planning, *Strategies for State Policies and Spending document*, the property is located within a Level 4 Investment Area.



Mr. Jamie Whitehouse
Page 2 of 2
January 21, 2021

In a Level 4 Investment Area, State policies encourage the preservation of a rural lifestyle and discourage new development. Per Program policy, if a site has an existing entrance, the entrance can be expanded to accommodate a maximum of 100 vehicle trips per day (vpd), entrance improvements may be required to accommodate the 100 vpd. This site has an existing entrance; therefore the site's future trip generation would be permitted to increase by 100 vpd. The trip generation is determined by using the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The Corridor Capacity Preservation Program policy can be viewed on Department's website at www.deldot.gov.

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.

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence or Mr. Thomas Felice, at (302) 760-2338, if you have questions concerning the Corridor Capacity Preservation Program.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

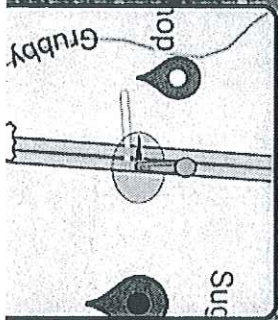
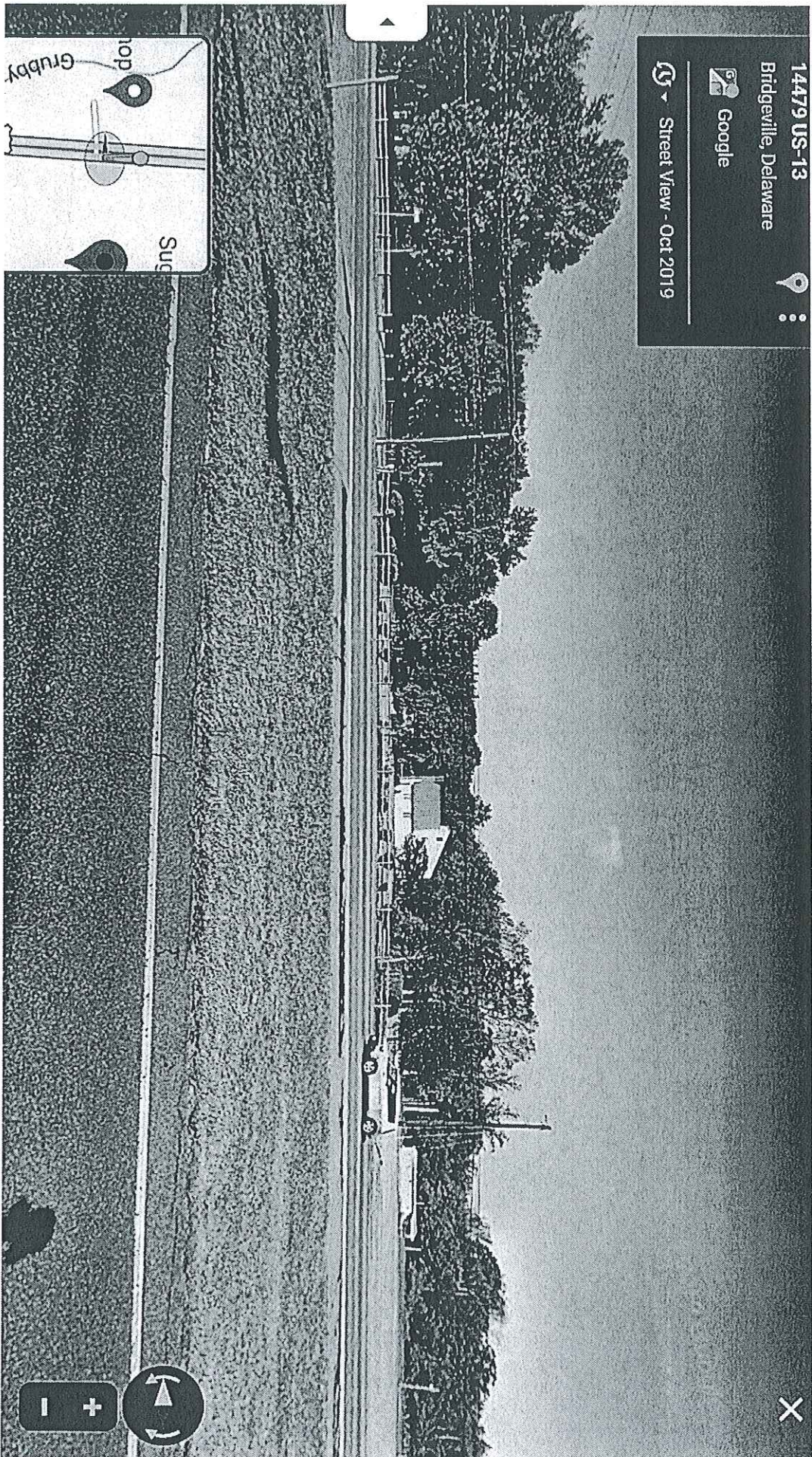
cc: Gerald R. and Valerie V. Campbell, Trustees under the Revocable Trust, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Expedited Review Team Lead, Development Coordination
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Thomas Felice, Corridor Capacity Preservation Program Manager, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

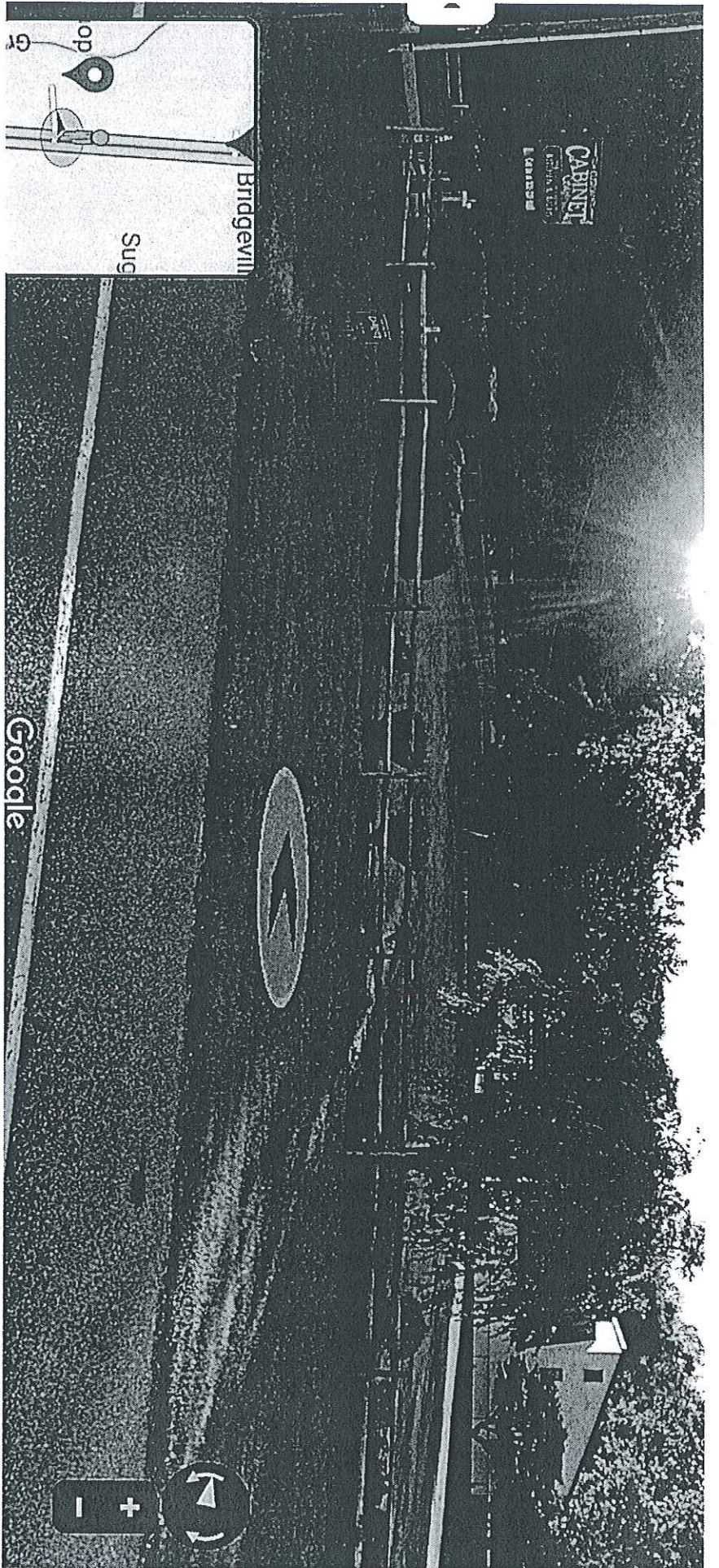
14479 US-13

Bridgeville, Delaware



Street View - Oct 2019



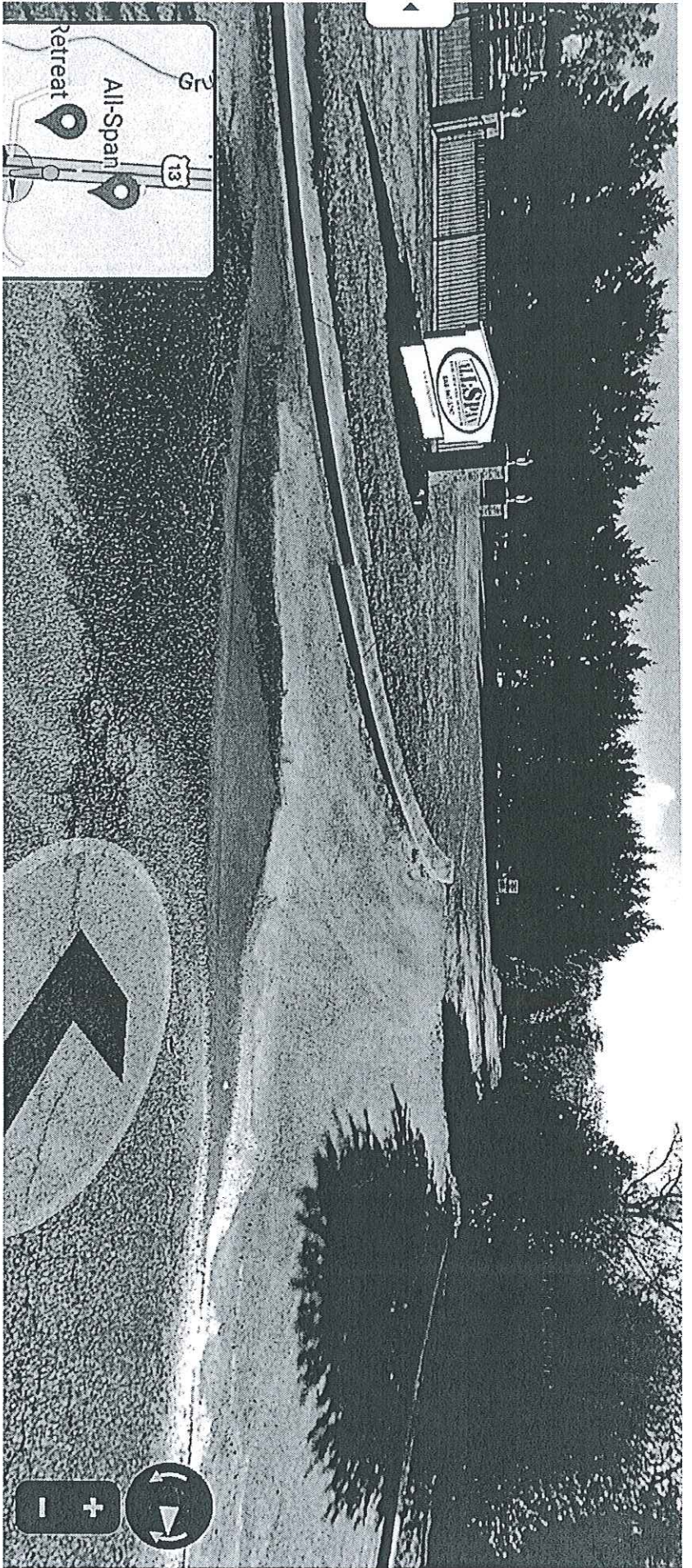


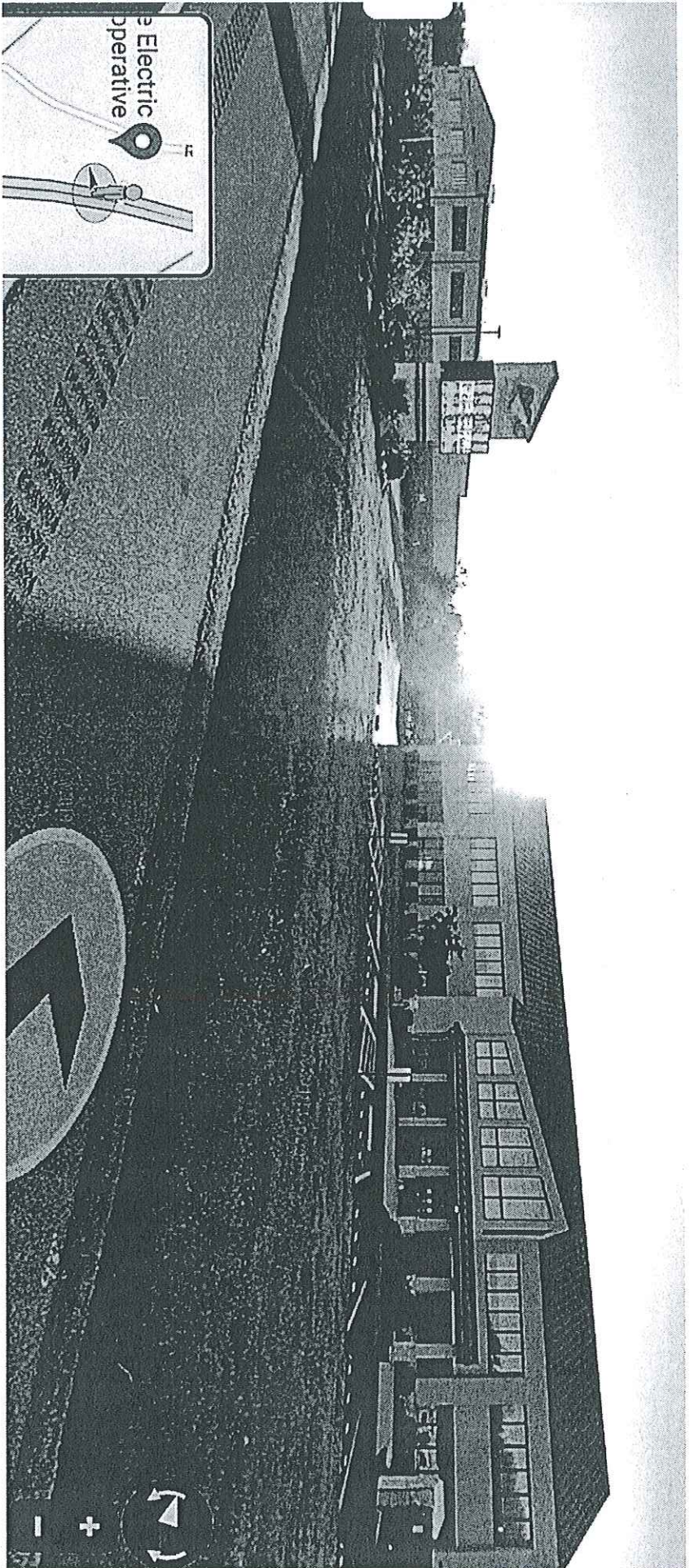
CABINET
KARAS

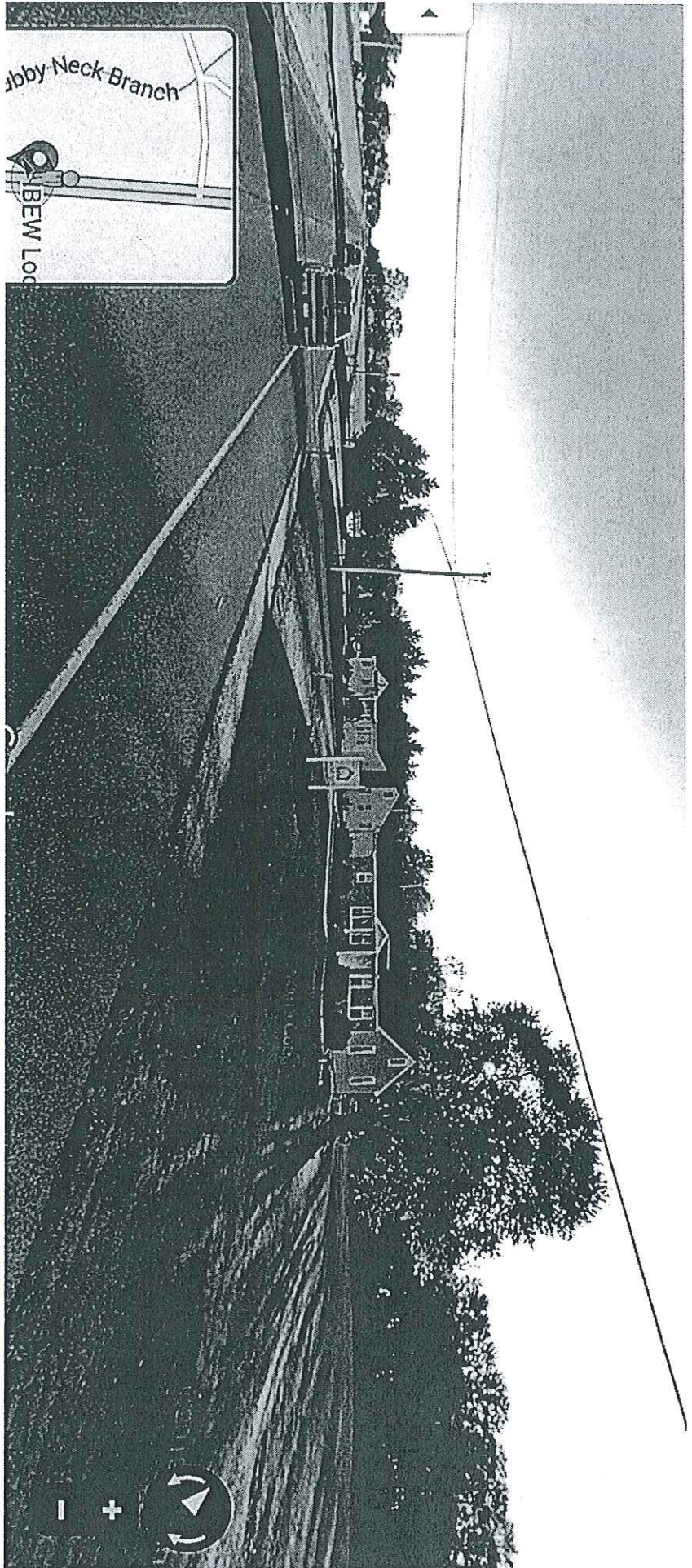
Bridgerville

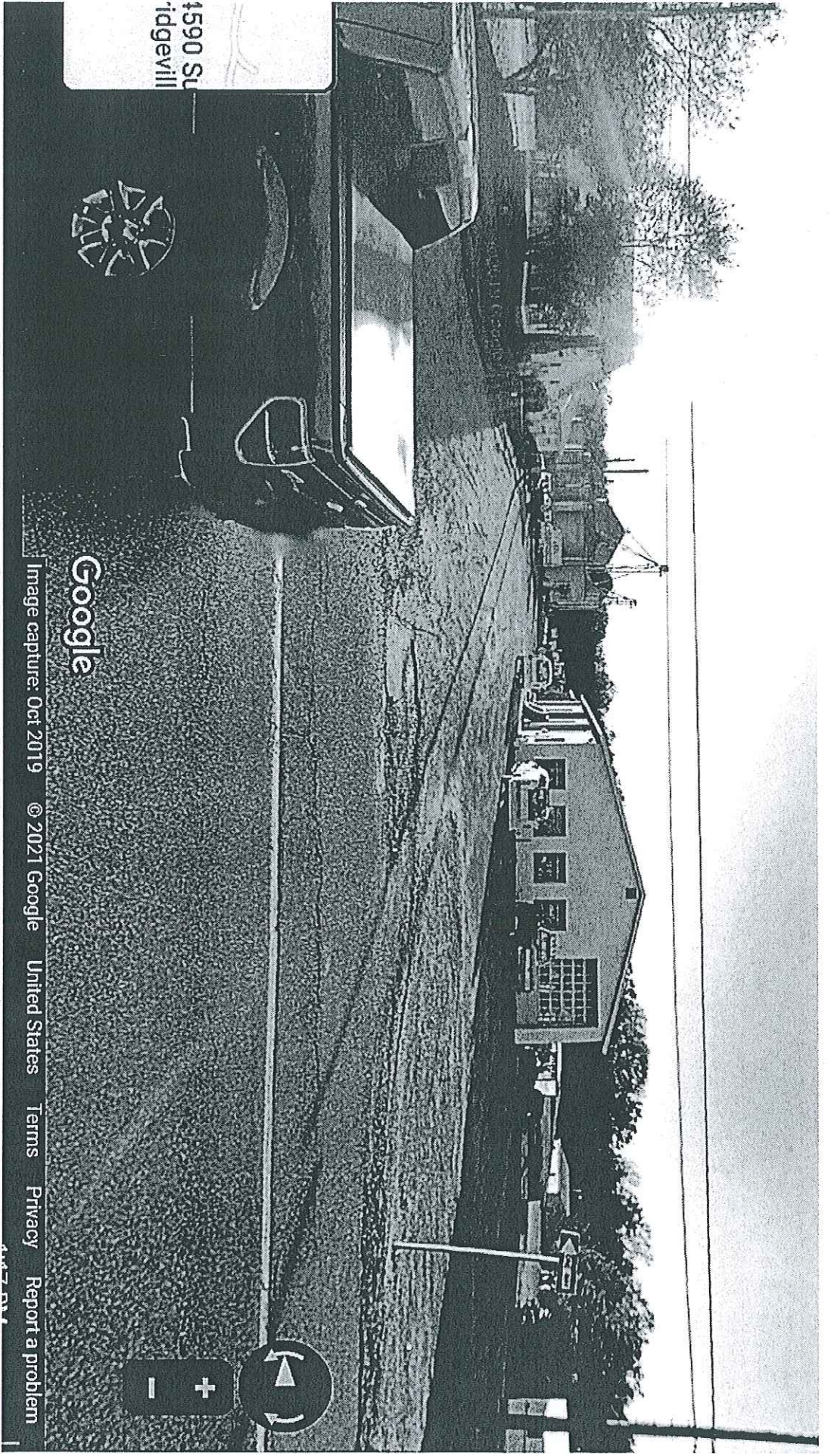
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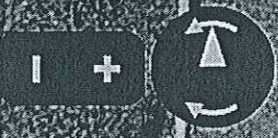
© 2021 Google

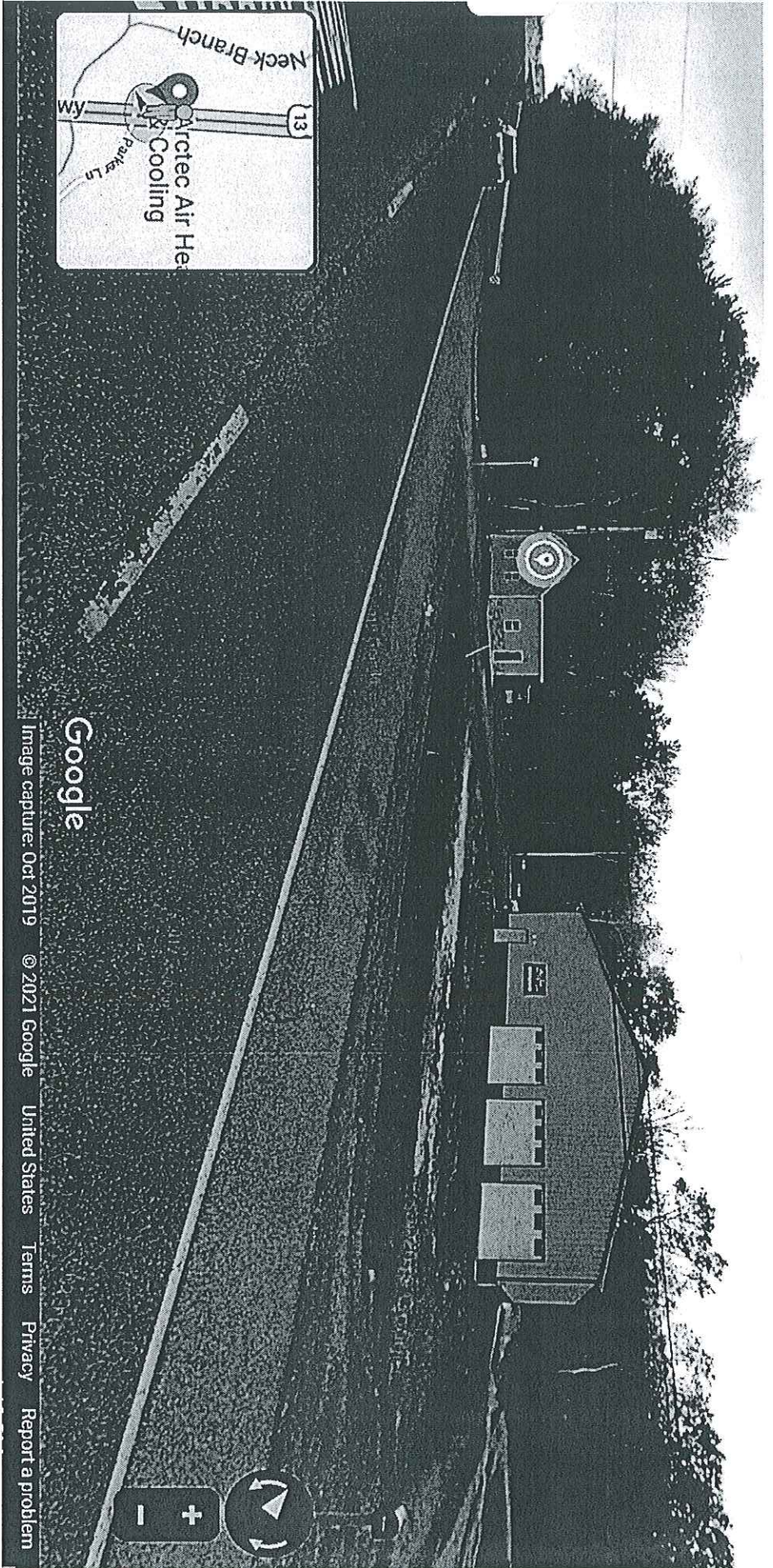
United States

Terms

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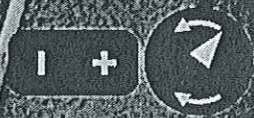
Report a problem





Google

Image capture: Oct 2019 © 2021 Google United States Terms Privacy Report a problem



Prepared by & Return to:
Sergovic Carmean Weidman
McCartney & Owens, P.A.
25 Chestnut Street
Georgetown, DE 19947-0751
SCTM 5-30-17.00-2.01
JAS

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **GERALD R. CAMPBELL and VALERIE V. CAMPBELL** do hereby constitute and appoint **PAMELA HERRMANN** our true and lawful attorney, for us and in our names, place and stead, to represent and act as our spokesperson for the public hearings concerning the Sussex County Rezoning Application, CZ No. 1939 before the Planning and Zoning Commission and the Sussex County Council, as follows:

- (1) To appear on their behalf as the named applicants;
- (2) To represent their interests at the public hearings;
- (3) To receive, accept, sign, acknowledge, swear to, affirm and deliver any and all instruments and documents required by the Planning and Zoning Commission or the Sussex County Council, otherwise necessary, appropriate or advisable in the sole discretion of my said attorney to be executed by the undersigned in connection with the Rezoning Application; and

GIVING AND GRANTING unto my attorney full power and authority to do and perform all and every act, deed, matter and thing whatsoever in and about my estate, property and affairs in regard to the Property as fully and effectually to all intents and purposes as we might or could do in our own proper person if personally present; and hereby ratifying and confirming all of our said attorney shall do or cause to be done by virtue of these presents. The undersigned hereby declares that (a) any act or thing lawfully done hereunder by our said attorney shall be binding on us and our heirs and assigns, (b) this power of attorney shall not be affected by our disability or uncertainty as to whether we are alive or dead, and (c) this Power of Attorney may be revoked only by a writing recorded among the Land Records of the County in which the Property is situate, but in any event, shall terminate sixty (60) days after its intended use.

PROPOSED FINDINGS OF FACT

The record presented in C/Z No. 1939, the application of Gerald R. and Valerie V. Campbell (hereinafter collectively "Campbell"), supports an Ordinance to amend the Comprehensive Zoning Map of Sussex County from an Agricultural Residential District ("AR-1") to a Neighborhood Business ("B-2") for a certain parcel of land lying and being in North West Fork Hundred, Sussex County, Delaware, land lying on the westerly side of Route 13, 1.1 miles north of Route 404 Bypass (previously Route 584) and 4,300 feet south of Adams Road (Sussex Road 583), south of Greenwood, located on 3.16 acres, more or less, consisting of District 5-30, Map 17.00, Parcel 2.01 ("Subject Property"). In support of its recommendation for approval the Planning and Zoning Commission of Sussex County, Delaware, finds the following facts and makes the following conclusions, based upon the record:

1. The application of Campbell for a certain parcel of land lying and being in North West Fork Hundred, Sussex County, Delaware, land lying north of Route 404 Bypass and South of Adams Road for purposes of operating a 9,161/500 square feet cabinet shop.
2. The property consists of approximately 3.16 acres and has been operating as a cabinet shop under Conditional Use 115, since 1973.
3. The proposed use of the property is compatible and consistent with neighboring uses of properties along Route 13.
4. The amendment to the Comprehensive Zoning Map will have no adverse or detrimental impact on neighboring areas or uses.

5. The proposed development will have no significant impact upon traffic in the area. DelDOT required no traffic impact study.

6. Although the property is located in a Low Density Area as established by the Comprehensive Plan Update, 2018, it is slightly north of an Industrial Area and slightly south of a Commercial Area in the 2045 Future Land Use Map of the 2018 Sussex County Comprehensive Land Use Plan.

The 2018 Sussex County Comprehensive Plan (“2018 Comp. Plan”) at page 4-8, states: “This Future Land Use Plan revises and expands the existing planning areas. These planning areas provide the logic and rationale for the County’s zoning, which is one of the primary purposes of a comprehensive plan. However, it is important to clarify that these land use classifications are not zoning districts, and they often include multiple zoning districts within them. Also, it is important to recognize that other factors come into play when determining which zoning districts are appropriate for each land use classification.” Further, in a Low Density Area, the 2018 Comprehensive Plan provides at page 4-19: “The primary uses envisioned in Low Density Area are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation.

More intense commercial uses should be avoided in these areas. Institutional and commercial uses may be appropriate depending on surrounding uses.” Since the property has been devoted to land use as a cabinet shop for 48-years, it would appear that such a use has been in support of agricultural activities and homes, or it would not operate in its existing location for as long as it has.

Agriculture uses and homes are the types of uses that have been served for 48-years of the property being used as a cabinet shop.

7. Thus, the proposed use meets the purpose of the Plan Update, 2018 in that it follows recommended allowed uses south in a Low Density Area.

Based upon the record and the above findings, Planning and Zoning Commission recommends approval of the applied for Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to B-2 Neighborhood Business for a certain parcel of land lying on the westerly side of Route 13, 1.1 miles north of Route 404 Bypass (previously Route 584) and 4,300 feet south of Adams Road (Sussex Road 583), south of Greenwood, located on 3.16 acres, more or less, consisting of District 5-30, Map 17.00, Parcel 2.01 located on 3.16 acres, more or less, consisting of District 5-30, Map 17.00, Parcels 2.01 to allow for the continuing operation of a cabinet shop consisting of 9,161 sq. ft. and 500 sq. ft. and one (1) single-family detached dwelling to the County Council finding that the proposed Ordinance is for the purpose of promoting the health, safety, moral, convenience, order and prosperity and welfare of the present and future inhabitants of Sussex County, including amongst

other things, the lessening of congestion in the streets or roads, securing safety from fire, flood and other dangers, providing adequate light and air; preventing on the one hand, excessive concentration of population and on the other hand, excessive and wasteful scattering of population or settlement and promoting such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate and provide adequate provisions for public requirements.