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DIRECTOR OF PLANNING & ZONING
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Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

PLANNING & ZONING COMMISSION

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



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JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: June 9th, 2022

Application: C/Z 1957 Ronicca Payton

Applicant: Ronicca Payton
8465 Front Street
Lincoln, DE 19960

Owner: Ronicca Payton
8465 Front Street
Lincoln, DE 19960

Site Location: Lying on the east side of Front Street (S.C.R. 38B), approximately 200 feet south of the intersection of Washington Steet (S.C.R. 225C) and Front Street.

Current Zoning: Neighborhood Business (B-1) District

Proposed Zoning: Agricultural Residential (AR-1) District

Comprehensive Land Use Plan Reference: Commercial

Councilmanic District: Mr. Hopkins

School District: Milford School District

Fire District: Ellendale Fire Co.

Sewer: Private Septic

Water: Well

Site Area: 0.28 Ac. +/-

Tax Map ID.: 230-6.17-19.00





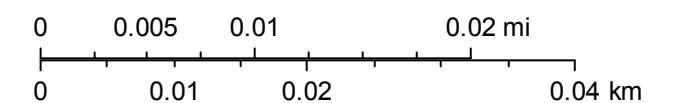
Sussex County



PIN:	230-6.17-19.00
Owner Name	PAYTON RONICCA J
Book	3868
Mailing Address	8465 FRONT ST
City	LINCOLN
State	DE
Description	BUTLER R R AVE
Description 2	E/RT 38 B INT
Description 3	N/RT 225 B
Land Code	

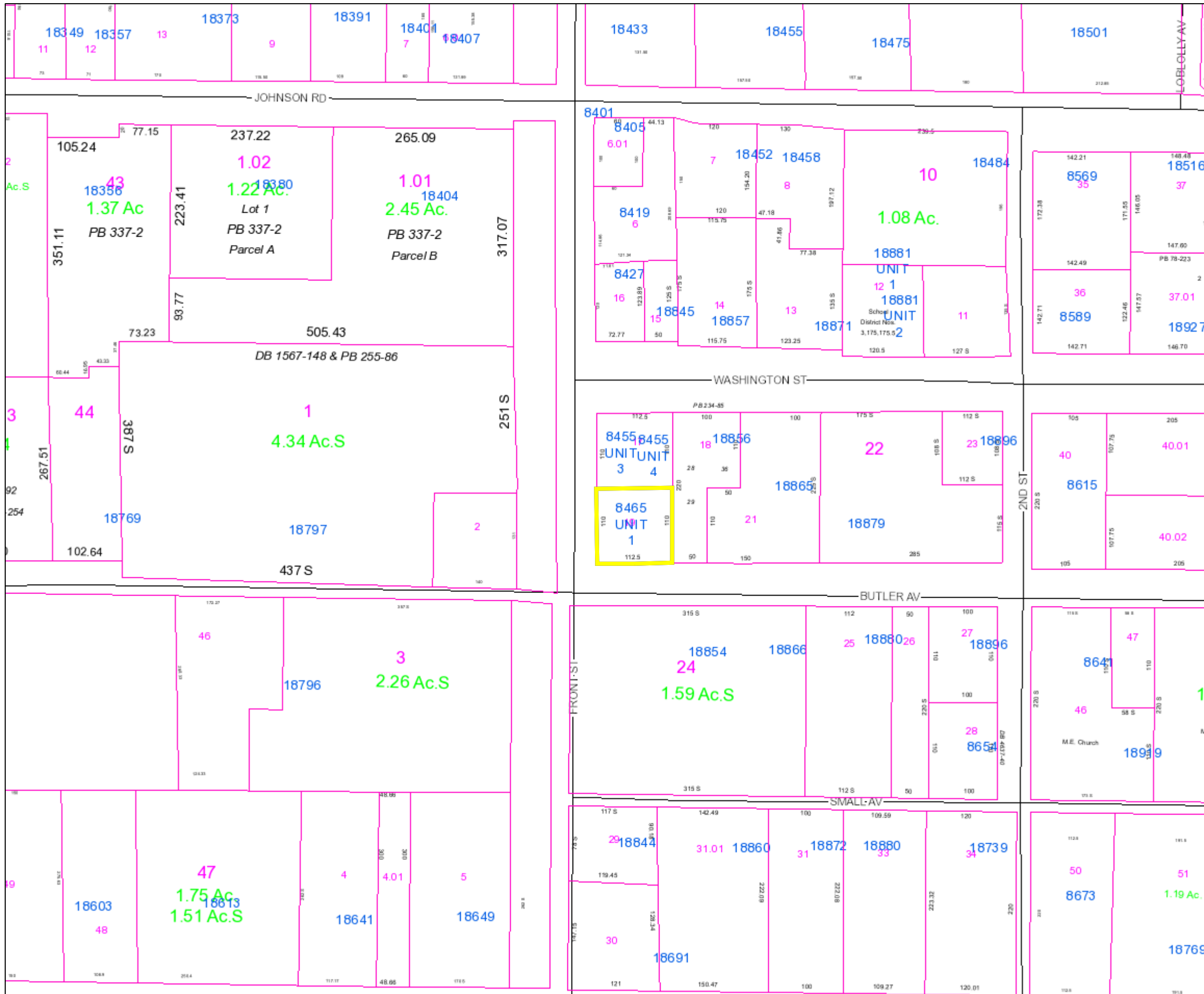
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- ⋯ Tax Parcels
- 911 Address
- Streets
- - - County Boundaries
- Flood Zones 2018**
 - 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
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 - AE
 - AO
 - OPEN WATER
 - VE

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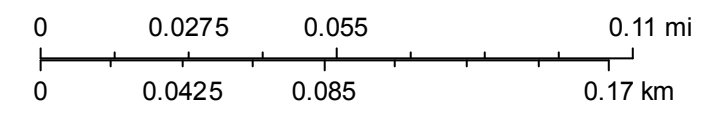
Sussex County

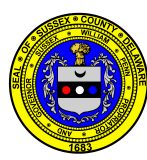


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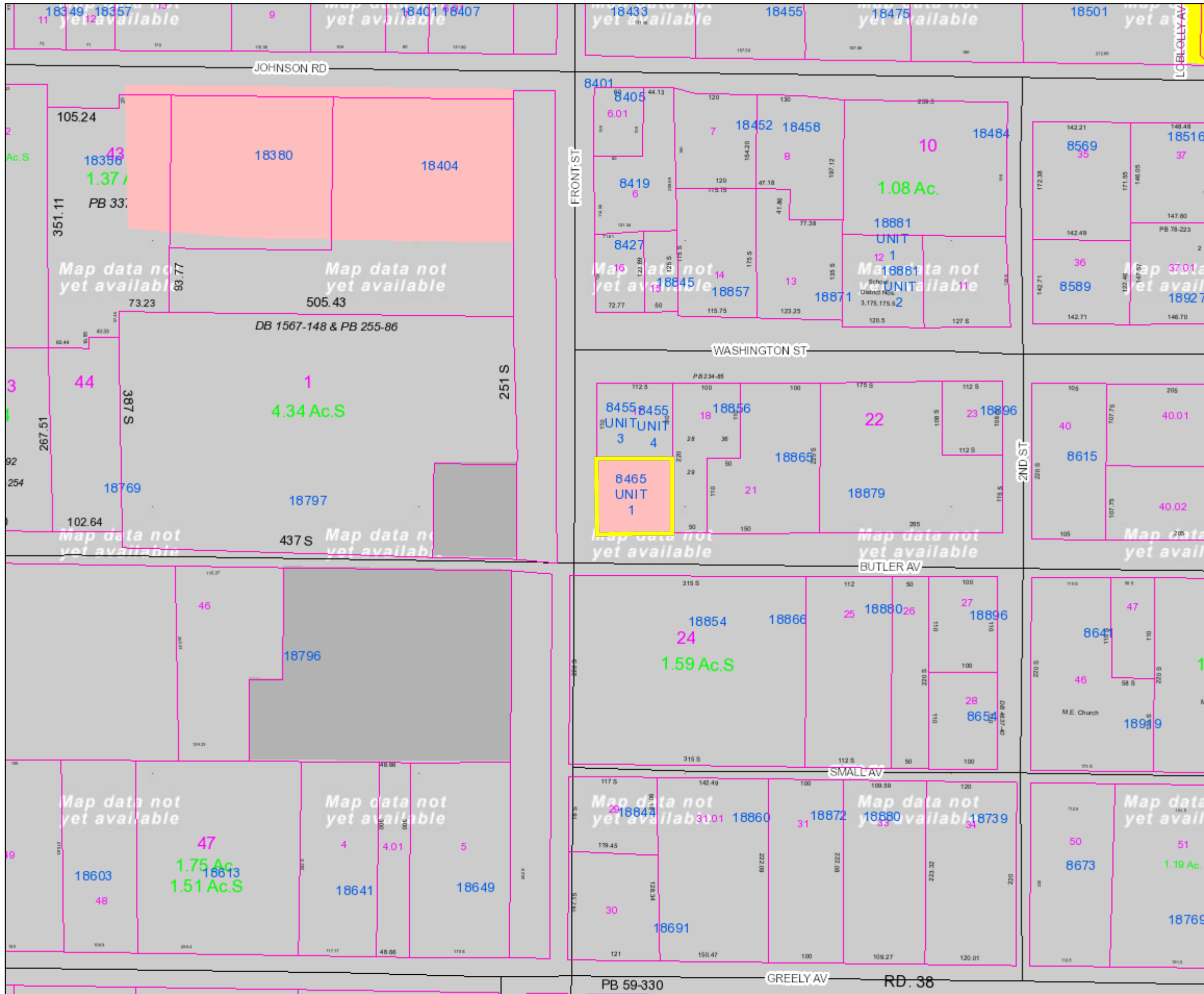
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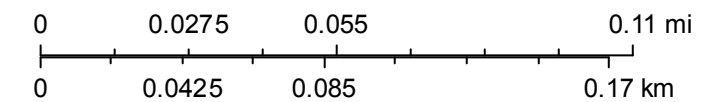
Sussex County



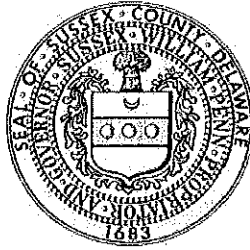
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Memorandum

To: Sussex County Planning Commission Members
From: Elliott Young, Planner I
CC: Vince Robertson, Assistant County Attorney, and applicant
Date: June 1, 2022
RE: Staff Analysis for CZ 1957 Ronicca Payton

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1957 Ronicca Paton to be reviewed during the June 9 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcel 230-6.17-19.00 to allow for a change of zone from a Neighborhood Business District (B-1) to an Agricultural Residential District (AR-1). The property is lying on the east side of Front Street (S.C.R. 38B) approximately 200-feet south of the intersection of Washington Steet (S.C.R. 225C) and Front Street. The parcel to be rezoned contains 0.28 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has a land use designation of "Commercial." The properties to the north, south, east, have the land use designation of Low Density as well as one outlier of Developing area directly to the east.

Vicinities designated to be within the Commercial Area are generally concentrations of retail and services uses along arterial roadways and highways. These areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared toward vehicular traffic. The Commercial Area designation does not include many medium or large-scale commercial uses that are larger in scale and higher in intensity. The Comprehensive Plan notes that mixed use development may be appropriate in these areas.

The property is zoned Neighborhood Business (B-1) Zoning District. Adjacent parcels to the north, south, and west are zoned Agricultural Residential (AR-1) Zoning District. The properties to the west are zoned Agricultural Residential (AR-1) Zoning District and Light Industrial (LI-2) Zoning District.

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories," the Agricultural Residential Zoning District (AR-1) is listed as an applicable zoning district in the "Commercial Area."



Since 2011, there has been zero (0) Change of Zone applications within a 1-mile radius of the application site.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from an Neighborhood Business Zoning District (B-1) to an Agricultural Residential Zoning District (AR-1) could be considered as being consistent with the land use, based on size and scale, with area zoning and surrounding uses.

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

8465 Front St. Unit 1 Lincoln, DE

Type of Conditional Use Requested:

Tax Map #: 2-30-6-17-19.00 Size of Parcel(s): 0.28 ac.

Current Zoning: B1 Proposed Zoning: AR1 Size of Building: _____

Land Use Classification: CO

Water Provider: well Sewer Provider: septic system

Applicant Information

Applicant Name: Ronicca J. Payton

Applicant Address: 8465 Front Street Ln

City: Lincoln State: DE Zip Code: 19960

Phone #: 302-236-9281 E-mail: hairwego@comcast.net

Owner Information

Owner Name: Same as Above

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____

Agent/Attorney/Engineer Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____



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: 8465 Unit 1 Front St.
Lincoln, DE 19960

Parcel #: 230-6.17-19.00

Site Address: _____

Parcel #: _____

Applicant Name: Ronicea J. Payton

Owner Name: Ronicea Payton

Type of Application:

Conditional Use: _____

Change of Zone: _____

Subdivision: _____

Board of Adjustment: _____

Date Submitted: 10/5/21

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____

List created by: _____

Date letters mailed: _____

Letters sent by: _____

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **5/13/2022**

APPLICATION: **CZ 1957 Ronicca Payton**

APPLICANT: **Ronicca Payton**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **230-6.17-19.00**

LOCATION: **Lying on the east side of Front Street (SCR 38B),
approximately 200 feet south of the intersection with
Washington Street (SCR 225C)**

NO. OF UNITS: **Downzoning from B-1 to AR-1**

GROSS
ACREAGE: **0.28 +/-**

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

SEWER:

(1). Is the project in a County operated and maintained sanitary sewer and/or water district?

Yes

No

a. If yes, see question (2).

b. If no, see question (7).

(2). Which County Tier Area is project in? **Tier 3**

(3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

(4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Choose an item.** 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 Sussex County Engineering Department does not currently have a schedule to provide sanitary sewer service to this parcel.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

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



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

NICOLE MAJESKI
SECRETARY

February 17, 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 **Ronicca Payton** proposed land use application, which we received on February 15, 2021. This application is for an approximately 0.2828- acre parcel (Tax Parcel: 230-6.17-19.00). The subject land is located on the northeast intersection of Butler Avenue and Front Street. The subject land is currently zoned B-1 (Neighborhood Business District) with a proposed zoning of AR-1 (Agriculture Residential) and proposed conditional use approvals for multifamily housing with 3 proposed units and a one-chair Hair Salon in one of the units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment Butler Road where the subject land is located, which is from Greentop Road to North Old Street Road, is 197 vehicles per day. The segment of Front Street where the subject land is located, which is from Johnson Road to Railroad Avenue, is 932 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as diminutive with to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

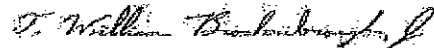


Mr. Jamie Whitehouse
Page 2 of 2
February 17, 2021

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

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,

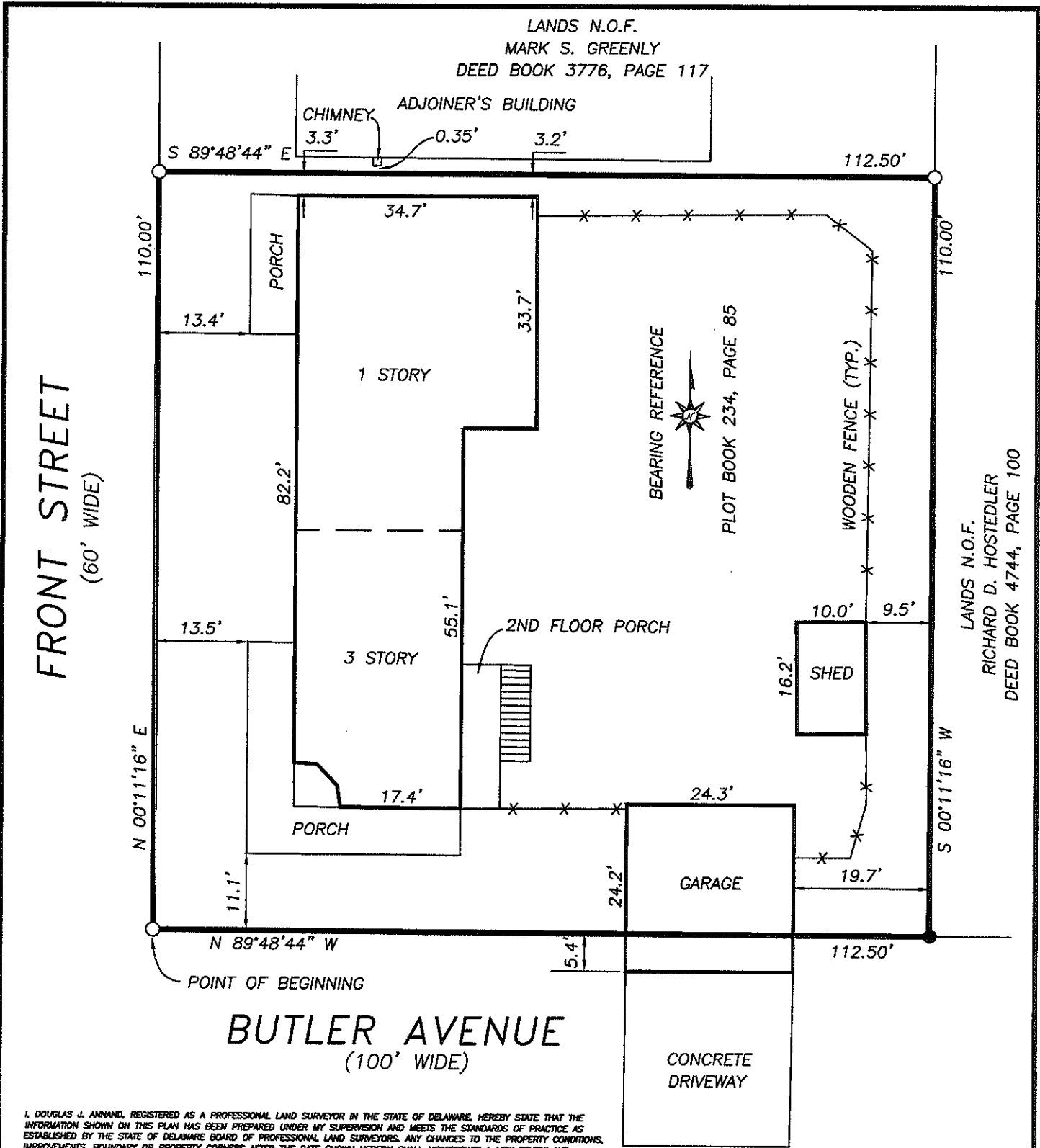


T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Ronicca Payton, 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
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

LANDS N.O.F.
MARK S. GREENLY
DEED BOOK 3776, PAGE 117



FRONT STREET
(60' WIDE)

BUTLER AVENUE
(100' WIDE)

LEGEND:

- FOUND IRON BAR
- SET IRON PIPE

I, DOUGLAS J. ANNAND, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

NOTES:

- 1) CLASS "B", SUBURBAN SURVEY
- 2) SOURCE OF TITLE: DEED BOOK 3868, PAGE 78

BOUNDARY SURVEY PLAN

PREPARED FOR

RONICCA J. PAYTON

FOR PROPERTY KNOWN AS
8465 FRONT STREET
TOWN OF LINCOLN
SITUATED IN
CEDAR CREEK HUNDRED
SUSSEX COUNTY
STATE OF DELAWARE
AREA: 12,375 SQ. FT.
SCALE: 1" = 20'
DATE: OCTOBER 4, 2020

DOUGLAS J. ANNAND, PLS-622

Prepared By
DOUGLAS J. ANNAND
PROFESSIONAL LAND SURVEYOR
10027 NORTH OLD STATE ROAD
LINCOLN, DELAWARE 19960
PHONE: (302) 448-0320
douglasannand7@gmail.com

I Kelly Greenly, reside
at 18848 Washington Street Lincoln, DE and live
within 200 feet of Ronicca Payton at 8465 Front Street, Lincoln
DE.

I have no objection to the rezoning of said property. I understand
that it will be rezoned from a B1 neighborhood business zoning to
an AR1 residential / agricultural zoning.

Sign: Kelly M. Gray

Date: 10-3-21

I Shelly A. Adstedler, reside
at 18856 Washington Street Lincoln De. and live
within 200 feet of Ronicca Payton at 8465 Front Street, Lincoln
DE.


I have no objection to the rezoning of said property. I understand
that it will be rezoned from a B1 neighborhood business zoning to
an AR1 residential / agricultural zoning.

Sign: Shelly Adstedler

Date: Oct 2, 2021

I Frank Brooke Clendaniel, reside
at 18854 BUTLER AVENUE and live
within 200 feet of Ronicca Payton at 8465 Front Street, Lincoln
DE.

I have no objection to the rezoning of said property. I understand
that it will be rezoned from a B1 neighborhood business zoning to
an AR1 residential / agricultural zoning.

Sign: 

Date: 09-17-2021

I Frank Clendaniel Inc. Richard Clendaniel ^{President}, reside
at Butter Ave Lincoln De 19962 and live
within 200 feet of Ronicca Payton at 8465 Front Street, Lincoln
DE.

I have no objection to the rezoning of said property. I understand
that it will be rezoned from a B1 neighborhood business zoning to
an AR1 residential / agricultural zoning.

Sign: Richard M Clendaniel
President

Date: 9/25/21

I Richard M Clendaniel Jr, reside
at Butler Ave Lincoln De 19960 and live
within 200 feet of Ronicca Payton at 8465 Front Street, Lincoln
DE.

I have no objection to the rezoning of said property. I understand
that it will be rezoned from a B1 neighborhood business zoning to
an AR1 residential / agricultural zoning.

Sign: Richard M Clendaniel Jr

Date: 9/25/21