

COUNTY COUNCIL

DOUGLAS B. HUDSON, PRESIDENT
JOHN L. RIELEY, VICE PRESIDENT
JANE GRUENEBAUM
MATT LLOYD
STEVE C. McCARRON



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7743

SUSSEX COUNTY COUNCIL

AGENDA

March 17, 2026

10:00 AM

Call to Order

Approval of Agenda

Approval of Minutes - March 10, 2026

[Draft Minutes 031026](#)

Reading of Correspondence

Public Comments

Presentation – Sussex County Police Chiefs Association

Todd Lawson, County Administrator

1. Administrator's Report

Vince Robertson, Assistant County Attorney

1. Discussion and Possible Introduction of Moratorium Ordinance regarding Cluster Subdivisions only, governed by Section 115-25B(2) of the Code of Sussex County for land within the AR-1 Agricultural Zoning District within the Rural Area in the Land Use Element and as shown on the Future Land Use Map of the adopted Sussex County Comprehensive Plan

Gina Jennings, Finance Director

1. Discussion of future Fire/Ambulance Company Assistance



Jamie Whitehouse, Planning & Zoning Director

1. Discussion related to Route 9 & Route 113 Corridor Study

Old Business

1. [Conditional Use No. 2530 filed on behalf of Whitney Price](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SEASONAL BUNGALOWS (2 UNITS) FOR THE PURPOSE OF SHORT-TERM RENTAL TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.8 ACRE, MORE OR LESS” (property is located on the east side of Roxanna Road [Rt. 17] and the south side of Lucinda Drive, approximately 600 feet north of Burbage Road [S.C.R. 353]) (911 Address: 32293 Roxanna Road, Ocean View) (Tax Map Parcel: 134-12.00-379.01)

[Old Business CU2530](#)

Grant Requests

1. Sussex Elite Legends for safety equipment, uniforms and operating expenses
[Sussex Elite Legends](#)
2. Milton Historical Society for their Black and White Historical Photography Exhibit
[Milton Historical Society](#)
3. Town of Laurel for their 4th of July Fireworks Display
[The Town of Laurel](#)
4. Cape Henlopen School District – Mariner Middle School Business Professionals of America for travel assistance for the 2026 National Leadership Conference
[Cape Henlopen - Mariner Middle School](#)

Introduction of Proposed Zoning Ordinances

Council Members' Comments

Executive Session - Land Acquisition & Pending & Potential Litigation pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session Items

Adjourn

*** Members of the Sussex County Council will attend a meeting with the Sussex Conservation District at 23818 Shortly Road, Georgetown, Delaware, starting at 12:00 p.m. ***

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on March 10, 2026 at 4:15 p.m. and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>.

The County provides a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.**

Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.

The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountyde.gov/agendas-minutes/county-council>.

Any person who intends to present a digital presentation or document, including PowerPoint files, for electronic display during County meetings shall submit said file(s) in advance, no later than one (1) business day before the respective public meeting. Files may be sent electronically to councilpackets@sussexcountyde.gov or delivered by hand to County Administration, located in the Sussex County Administrative Offices, 2 The Circle, in Georgetown. No external storage devices shall be permitted to connect to County equipment.

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 10, 2026

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, March 10, 2026, at 12:30 p.m., in Council Chambers, with the following present:

Douglas B. Hudson	President
John L. Rieley	Vice President
Jane Gruenebaum	Councilwoman
Matt Lloyd	Councilman
Steve C. McCarron	Councilman
Todd F. Lawson	County Administrator
J. Everett Moore, Jr.	County Attorney

The Invocation and Pledge of Allegiance were led by Mr. Hudson.

**Call to
Order**

Mr. Hudson called the meeting to order.

**M 100 26
Approve
Agenda**

Mr. Lawson announced that CU2485 filed on behalf of Christopher Hanyok under 1:30 p.m. Public Hearings has requested to postpone their hearing. A Motion was made by Mr. Rieley, seconded by Mr. Lloyd, to approve the Agenda, as presented.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Minutes

The minutes from March 3, 2026 were approved by consensus.

**Corre-
spondence**

Mr. Moore reported that correspondence was received from Clothing our Kids and Mariner's Bethel Global Methodist Church and ABC Bike Ministry thanking Council for their support.

**Public
Comments**

Public comments were heard, and the following people spoke:

Ms. Beth DeFrances spoke about library funding.

Mr. Jeff Seemans spoke about school impact fees.

**M 101 26
Approve
Consent
Agenda**

A Motion was made by Mr. Lloyd, seconded by Ms. Gruenebaum to approve the following items under the Consent Agenda:

**Use of Existing Wastewater Infrastructure Agreement – IUA 690-1
Huntsfield (Hocker Properties), Millville Area**

Use of Existing Wastewater Infrastructure Agreement – IUA 1250 Rev. 1

Vines Creek Crossing, Dagsboro/Frankford Area

Proclamation Request – Milton Fire Department, Inc. 125th Anniversary

Motion Adopted: 5 Years

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Presentation Bayhealth A presentation was given by Mr. Terry Murphy providing an update for Bayhealth.

Recognition Earl Chaffinch was recognized for his retirement.

Administrator's Report Mr. Lawson read the following information in his Administrator's Report:

1. Assessment Appeals

Property owners who believe the assessed value of their property does not reflect fair market value as of July 1, 2023, may file an application for appeal. Applications must be submitted by 4:30 p.m. on March 15, 2026. Hearings will be held as needed through May 31, 2026. Applications and filing guidelines are available on our website at <https://sussexcountyde.gov/board-assessment-review> and may also be picked up in the main lobby.

[Attachments to the Administrator's Report are not attached to the minutes.]

SCRP Program Proposed Ordinance Vince Robertson, Assistant County Attorney presented a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 72, ARTICLE II, SECTION 72-24 AND CHAPTER 115, ARTICLE IV, V, VI, VII AND VIII SECTIONS 115-20, 115-29, 115-37, 115-45 AND 115-53 REGARDING AFFORDABLY PRICED RENTAL UNITS AND THE SUSSEX COUNTY RENTAL UNIT (SCRP) PROGRAM".

Mr. Robertson provided an overview of the Ordinance.

Ordinance Introduction Mr. Rieley introduced a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 72, ARTICLE II, SECTION 72-24 AND CHAPTER 115, ARTICLE IV, V, VI, VII AND VIII SECTIONS 115-20, 115-29, 115-37, 115-45 AND 115-53 REGARDING AFFORDABLY PRICED RENTAL UNITS AND THE SUSSEX COUNTY RENTAL UNIT (SCRP) PROGRAM.

Open Space Mr. Robertson presented a Proposed Ordinance entitled "AN

Proposed Ordinance **ORDINANCE TO AMEND CHAPTER 99, ARTICLES I AND III, SECTIONS 99-5 “DEFINITIONS”, 99-21, “PUBLIC SITES AND OPEN SPACES” AND CHAPTER 115, ARTICLES I & V, §115-4 “DEFINITIONS AND WORD USAGE” AND §115-25 “HEIGHT, AREA AND BULK REQUIREMENTS” OF THE CODE OF SUSSEX COUNTY REGARDING OPEN SPACE.**

Mr. Robertson provided an overview of the Ordinance.

Ordinance Introduction **Ms. Gruenebaum introduced a Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 99, ARTICLES I AND III, SECTIONS 99-5 “DEFINITIONS”, 99-21, “PUBLIC SITES AND OPEN SPACES” AND CHAPTER 115, ARTICLES I & V, §115-4 “DEFINITIONS AND WORD USAGE” AND §115-25 “HEIGHT, AREA AND BULK REQUIREMENTS” OF THE CODE OF SUSSEX COUNTY REGARDING OPEN SPACE.**

Preliminary Plat Proposed Ordinance **Mr. Robertson presented a Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 99, ARTICLE II and III, SECTIONS 99-9, “PUBLIC HEARING ON PRELIMINARY PLAT APPROVAL OR DISAPPROVAL” 99-17 “STREET LAYOUT”, AND CHAPTER 115, ARTICLE IV, §115-25 “HEIGHT, AREA AND BULK REQUIREMENTS” OF THE CODE OF SUSSEX COUNTY REGARDING DESIGN CRITERIA FOR ALL SUBDIVISIONS”.**

Mr. Robertson provided an overview of the Ordinance.

Ordinance Introduction **Mr. McCarron introduced a Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 99, ARTICLE II and III, SECTIONS 99-9, “PUBLIC HEARING ON PRELIMINARY PLAT APPROVAL OR DISAPPROVAL” 99-17 “STREET LAYOUT”, AND CHAPTER 115, ARTICLE IV, §115-25 “HEIGHT, AREA AND BULK REQUIREMENTS” OF THE CODE OF SUSSEX COUNTY REGARDING DESIGN CRITERIA FOR ALL SUBDIVISIONS”.**

Cluster Subdivision Proposed Ordinance **Mr. Robertson presented a Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE IV, §115-25 “HEIGHT, AREA AND BULK REQUIREMENTS” AND ARTICLE XVI §115-120 “SUPERIMPOSED DISTRICT; EFFECT ON OTHER PROVISIONS” OF THE CODE OF SUSSEX COUNTY REGARDING CLUSTER SUBDIVISIONS AND RESIDENTIAL PLANNED COMMUNITY DISTRICTS”.**

Mr. Robertson provided an overview of the Ordinance.

Ordinance Introduction **Mr. Rieley introduced a Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE IV, §115-25 “HEIGHT, AREA**

**AND BULK REQUIREMENTS” AND ARTICLE XVI §115-120
“SUPERIMPOSED DISTRICT; EFFECT ON OTHER PROVISIONS” OF
THE CODE OF SUSSEX COUNTY REGARDING CLUSTER
SUBDIVISIONS AND RESIDENTIAL PLANNED COMMUNITY
DISTRICTS”.**

IB Change Order Hans Medlarz, Project Manager, presented change order no. IB-002 for the Inland Bays extension for Council’s consideration.

M 102 26 A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, be it moved based upon the recommendation of the Sussex County Engineering Department that change order no. IB-002 for the Inland Bays Phase 2C expansion project – electrical construction, be approved, in the amount of \$463,500 for construction of two new clarifiers and associated structures.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea

Wolfe Neck RWF Hans Medlarz, Project Manager, presented change order no. 3 for Wolfe Neck regional wastewater facility for Council’s consideration.

M 103 26 A Motion was made by Mr. Lloyd, seconded by Mr. Rieley, be it moved based upon the recommendation of the Sussex County Engineering Department, that change order no. 3 to the Wolfe Neck Regional Wastewater Facility – Denali sludge removal agreement be approved, increasing the contract by \$333,250.00 for additional bottom sludge removal from Lagoon 1 at the Wolfe Neck Regional Wastewater facility.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea

M 104 26 A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, be it moved based upon the recommendation of the Sussex County Engineering Department, that change order no. 4 to the Wolfe Neck Regional Wastewater Facility – Denali sludge removal agreement be approved, increasing the contract by \$957,158.00 for additional sludge removal and linear replacement from Lagoon A at the South Coastal Regional Wastewater facility.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;

**Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

**Introduction
or Proposed
Ordinances**

Ms. Gruenebaum introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR AND VEHICLE STORAGE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 3.07 ACRES, MORE OR LESS” filed on behalf of Anthony DeGirolano.

Mr. Hudson introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A NON-PROFIT PUBLIC CHARITY PROVIDING RESPITE CARE FACILITY AND USE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 3.64 ACRES, MORE OR LESS” filed on behalf of Sunset Bridge Corporation.

Mr. Rieley introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MECHANICAL TRAILER A MAINTENANCE BUSINESS AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS” filed on behalf of Antulio Chavez Lopez.

Mr. McCarron introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 30.55 ACRES, MORE OR LESS” filed on behalf of Milton DE Solar CSS LLC.

The Proposed Ordinances will be advertised for a Public Hearing.

**CM
Comments**

There were no Council Member comments.

Rules

Mr. Moore read the rules of procedure for zoning matters.

**Public
Hearing/
CZ2054**

A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.5739 ACRES, MORE OR LESS” (property is lying on the southeast side of Savannah Road [Rt. 9], approximately 535 feet north of Wescoats Road [S.C.R. 12]) (911 Address: 1534 Savannah

**Public
Hearing/
CZ2054**

(continued)

Road, Lewes) (Tax Map Parcel: 335-12.06-52.00) filed on behalf of 1534 Savannah Road, LLC.

Jamie Whitehouse, Planning & Zoning Director, presented the application.

The Planning & Zoning Commission held a Public Hearing on the application on February 4, 2026. At the meeting of February 4, 2026, the Planning & Zoning Commission recommended approval of the application for the 8 reasons as outlined.

The Council found that Mr. Glenn Mandalas, Esq. with Brockstedt Mandalas Federico, LLC, spoke on behalf of the Applicant and property owner, 1534 Savannah Road, LLC; that also present were Ms. Jean Rial, Principal of 1534 Savannah Road, LLC. Mr. Mandalas stated that the site consists of 0.57 acres, on the south side of Savannah Road and located outside of the corporate boundaries of the City of Lewes, near the Savannah Road and Wescoats Road intersection; that the parcel is improved with a single structure; that the parcel checks all the boxes, in his view, for good planning as far as rezoning goes; that the property is located within the nearby area of the Weis grocery store, a CVS, Ahl & O'Connor Orthodontist, Waves Car Wash, Walgreens, Sherman Companies, and medical facilities; that there is a fair amount of commercial uses within the surrounding area; that Old Orchard Road is being rerouted, and currently under construction; that the intersection there is intended to become a fairly major intersection; that within the last year, a nearby property was approved to be rezoned from AR-1 (Agricultural Residential) to C-2 (Medium Commercial); that the site is located very close to the property recently approved for that rezoning, and it exactly the same rezoning they are requesting; that when heading into the City of Lewes, there is a yellowish building located to the right which provides commercial and medical services; that this property is zoned C-1 (General Commercial); that directly across from the property is the Beebe Medical Facility and a professional center; that when heading toward Route 1, Aftercare Mental Health and Atlantic Adult & Pediatric Medicine are located on the left-hand side from the site; that the site is lying within the Coastal Area, according to the Comprehensive Development Plan, where appropriate forms of new development are encouraged; that there are multiple Conditional Uses approved within the surrounding area; that the site's current zoning of AR-1 (Agricultural Residential) sticks out like a sore thumb to the surrounding commercial uses; that there are some nearby properties zoned B-1 (Neighborhood Business); that according to the 2018 Comprehensive Development Plan, the proposed rezoning is consistent with the plan; that the parcel is within the Future Land Use Map designation of a Coastal Area, where appropriate forms of new development are encouraged; that according to the 2020 Strategies for State Policies and Spending, the parcel is located within Investment Level 1, where future redevelopment or infill projects are expected to and encouraged by the State; that the application was subject to the PLUS process; that the Office of State Planning Coordination had no objection to

**Public
Hearing/
CZ2054
(continued)**

the proposed rezoning; that the Staff Analysis report indicated that the proposed zoning change is consistent with the surrounding land uses, zoning, and the uses, subject to considerations of scale and impact; that the site is consistent with the character of the surrounding area, as the two properties to the west of the parcel are within the C-1 (General Commercial) District; that the three properties immediately to the east of the parcel are subject to Conditional Use approvals for commercial uses; that Sussex County recently approved zoning changes from AR-1 (Agricultural Residential) to C-2 (Medium Commercial) for two properties located across the street from the site; that those applications are known as C/Z 2014 for J&T Properties and C/Z 2023 for Jane Brady; that the proposed use is not a reason for granting approval of the requesting zoning, however, the Applicant did provide a Concept plan for the record; that the Applicant's intention is to develop the site for medical services; that these types of properties are exactly what is needed for that goal; that the Historical Lewes Byway Committee requested a condition of approval for his client to work with them for a landscape plan; that he reached out to them to let them know that they are willing to work with them during the site plan stage; that for all the reasons and information provided, they felt the rezoning would be in the best interest of the safety, health, and welfare of the community, and that they would respectfully request that the Council recommend approval of the application.

There were no public comments.

The Public Hearing and public record were closed.

**M 105 26
Adopt
Ordinance
No. 4045/
CZ2054**

A Motion was made by Ms. Gruenebaum, seconded by Mr. Lloyd to Adopt Ordinance No. 4045 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.5739 ACRES, MORE OR LESS" for the reasons given by the Planning & Zoning Commission as follows:

- 1. C-2 (Medium Commercial) Zoning is designed to support retail sales and the performance of consumer services. It is intended to be located near arterial and collector roads.**
- 2. The Applicant's property is generally located near the Wescoats Corner intersection along Savannah Road between the City of Lewes and Route One. It is near many other medical offices and there are many other business, commercial and institutional zonings and uses in the immediate area. This is an appropriate location for C-2 zoning.**
- 3. C-2 Zoning for a medical office at this location near will benefit nearby residents of Sussex County by providing a convenient location for retail uses or consumer services.**
- 4. There is no evidence that this rezoning will have an adverse impact on**

**M 105 26
Adopt
Ordinance
No. 4045/
CZ2054
(continued)**

- neighboring properties or area roadways.
5. The site is in the “Coastal Area” according to the Sussex County Land Use Plan and Future Land Use Map. This is an appropriate location for C-2 Zoning according to the Plan.
 6. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, prosperity and welfare of the County.
 7. No parties appeared in opposition to this Application.
 8. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

Motion Adopted: 5 Years

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

**Public
Hearing/
CU2625**

A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND CONDITION E OF CONDITIONS OF APPROVAL FOR CONDITIONAL USE NO. 2270 (ORDINANCE NO. 3070) REGARDING THE HOURS OF OPERATION FOR AN EXISTING OUTDOOR RACETRACK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 35.00 ACRES, MORE OR LESS” (properties are lying on the northwest side of the intersection of Hastings Farm Road [S.C.R. 526] and Coverdale Road [S.C.R. 252]) (911 Addresses: 22372, 22378 & 22382 Coverdale Road, Seaford & N/A) (Tax Map Parcels: 231-9.00-4.00, 5.00 & 5.01) filed on behalf of Greg Mitchell.

Jamie Whitehouse, Planning & Zoning Director, presented the application.

The Planning & Zoning Commission held a Public Hearing on the application on February 4, 2026. At the meeting of February 18, 2026, the Planning & Zoning Commission recommended approval of the application for the 6 reasons stated and subject to the revised condition wording within the motion.

The Council found that Mr. Richard Rexrode, the promoter for Middleford Speedway, spoke on behalf of the Applicant, Mr. Greg Mitchell, who was also present for the hearing. Mr. Rexroad stated that the site had previously received a Conditional Use approval last year; that currently, the operations are limited to racing on Fridays, Saturdays, and Sundays; that operations run on Fridays from 6:00 p.m. until 11:30 p.m. and Sundays from 12:00 p.m. until 9:00 p.m.; that racing practice is limited throughout the week from 12:00 p.m. to 9:00 p.m., with only one vehicle; that the key point is that facility operations already exist and are regulated; that they do follow those regulated operations very strictly; that their team is very cognizant of the Conditional Use that is in place; that they want to ensure that they follow

**Public
Hearing/
CU2625
(continued)**

those conditions; that they will continue to follow those conditions should the proposed amendment be approved; that currently, they are requesting an amendment to remove the restriction, limiting racing to evenings only; that they are requesting to expand a few weekday event expansion; that they do not plan to have more than one day a week; that there a number of classes that come in at a time; that there are special shows that expand to more classes; that they do not want to expand beyond 11:30 p.m.; that they want to get done sooner; that one of the challenges the ran into as they went through the 2025 season was realizing the restriction from 6:00 p.m. until 9:00 p.m. really placed them in a box, making them unable to start earlier or end later; that they requested the current amendment to provide more flexibility, allowing them to accommodate for things like weather or a traveling series; that by having the flexibility in their start time opens up opportunities for them to be more effective and efficient in that way; that should they be allowed to have a race begin earlier in the day, they could end the event earlier in the evening; that they felt this would hopefully make the residents in the area a bit happier; that they plan to maintain the same season, running April 1st to November, and are not proposing any amendment to the season; that they plan to keep the same Sunday end time, being 9:00 p.m., and the same practice restrictions; that they only request a change regarding the time of day for operations, not a use change; that they are not requesting to do anything more than what was already permitted for the facility; that they are not requesting any increase to the number of events per week for a standard week; that they do have one week that they are proposing to have a bit more usage; that they are not proposing an increase in the number of races per event; that in fact, they plan to make it more efficient; that they realized that their customers would prefer to see a more efficient show, and have it end earlier, and this is what they proposed to do; that currently, they are looking at four to five; that there are a couple of shows that may step into six or seven o'clock range; that the majority of their shows are going to be very short, with fewer classes running on the evening; that no change is proposed to the Sunday end time and no change is being proposed to the practice limitations; that earlier start times improve the event flow; that they are looking to have the flexibility to be able to start the show a little earlier, specifically in colder months; that as it becomes colder, they want to try to accommodate the needs of their participants and all those attending; that this releases late night congestion and delays; that by starting earlier, they can avoid some of those congestion issues; that their request allow flexibility for weather, safety and scheduling; that these are the issues they are trying to address; that their request also provides a way to recover rain-out events; that they will keep the Sunday options; that currently they have not had to host a Sunday event as of yet; that they do not have any plans for this coming season, however, they would still request to keep the flexibility to have Sunday events, in the case they have rain-outs or any other reason to cancel a show; that last year, they lost seven events to rain; that losing that number of events really impacts the operations revenue, not only for the racetrack, but for the community a large; that racing draws in a lot of people who participate; that they utilize the facilities around Sussex County and Seaford in general; that

**Public
Hearing/
CU2625
(continued)**

they support touring series; that touring series have reached out to them, requesting to race at their facility; that Mr. Mitchell's Middleford Speedway facility is phenomenal; that it is a beautiful facility, which has the ability to attract a lot of people; that with the current limitations, it does not allow them to open up to those touring series the way that they would like to; that a ton of effort and money have been placed into the facility; that they want to be able to use the facility to its fullest potential; that many competitors travel from across the Mid-Atlantic region to their facility, opening up economic activity for Sussex County, Seaford, and obviously for the racetrack as well; that they are considering what would be good for the racetrack, what would be good for Sussex County and Seaford, while keeping in mind the citizens in the area; that some of the traveling series they see are Stage-One Modifieds, Middle-Length, Sprint Series, and USED features; that some racers come to stay overnight; that they are requesting that racers have the opportunity to stay overnight but no camping; that by amending the Conditional Use, they are able to place themselves in a position to accommodate all of those series in a very good way for everyone, being track teams, crews, and fans; that it is all economic development for Sussex County; that the average attendance is about 650; that they are looking to expand that a bit, as some of the new shows will be bringing new people in; that the attendance will not grow much at all; that Friday attendance is slightly lower than Saturdays; that attendees will arrive and depart throughout the event; that typically, attendees will trickle in over time, and as the racing ends throughout the evening, the attendees tend to leave as their particular event they were interested in ends; that traffic congestion has not been an issue; that they have no expectation of attendance increase as a result of the proposed new hours of operation; that they do not anticipate a huge increase in participation; that they hope to increase participation and attendance, but do not expect to see this as a result of the requested amendment; that if the amendment should be approved, they would be able to open up to a wide variety of touring series, creating economic development to hotels, short-term lodging, restaurants and all other similar entities within Sussex County and the Seaford area; that these entities will be positively impacted by this; that touring events, can bring out of County and out of State visitors, which can provide consistent weekend revenue for local businesses, and support seasonal tourism beyond beach-driven activities; that they understand the beaches are a big draw for Sussex County; that they feel racing is one of those events visitors can do while they visit the beach; that these events contribute to directly to Sussex County's local economy, which is what they are hoping to address with a more efficient show; that the new request would allow flexibility to host a show during the week ; that they hope to grow to about 1,000 seats with the addition of another 300 seats or so; that they hope to expand to potentially park a few more spectator vehicles; that this aligns with the prior Conditional Use intent; that the amendment request will allow them to better serve families, support local tourism without increasing the number of events or extending operational hours.

Mr. McCarron discussed the ability to stay overnight at the racetrack. It was

determined that overnight stays does not require prior approval.

There were no public comments.

The Public Hearing and public record were closed.

**M 106 26
Adopt
Ordinance
No. 4046/
CU2625**

A Motion was made by Mr. McCarron, seconded by Ms. Gruenebaum to Adopt Ordinance No. 4046 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND CONDITION E OF CONDITIONS OF APPROVAL FOR CONDITIONAL USE NO. 2270 (ORDINANCE NO. 3070) REGARDING THE HOURS OF OPERATION FOR AN EXISTING OUTDOOR RACETRACK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 35.00 ACRES, MORE OR LESS” for the reasons and conditions given by the Planning & Zoning Commission as follows:

- 1. Conditional Use No. 2270 and Ordinance No. 3070 was approved for the operation for an existing outdoor racetrack on January 28, 2025. Condition E of that Ordinance included day and time limitations for racing to limit the impact of the use on neighboring properties.**
- 2. The Applicant has stated that earlier start times are needed to safely and reasonably accommodate the racing activities. The end times will not change.**
- 3. The Applicant has stated that the racetrack has been very successful and will continue to be a benefit to the racing community of Sussex County and others who come to Sussex County to participate in the motorsports that occur at the track.**
- 4. The Applicant has stated that the racetrack will continue to provide an economic benefit to western Sussex County and the businesses and communities there.**
- 5. This amendment to the racing hours that allows an earlier start time while maintaining the same end of racing operations each night will improve the track’s operations while still providing reasonable protection to the neighboring property and community.**
- 6. For all of these reasons, it is appropriate to amend Condition E of the Conditional Use No. 2270 and Ordinance No. 3070 so that it now states as follows:**

“Race events may only occur on Fridays, Saturdays and Sundays from April 1st through November 30th with two midweek events permitted during each calendar month within this timeframe. At the events, the gates may open at 8:00 a.m. with no racing before 10:00 a.m. Racing must end by 11:30 p.m. on Fridays, Saturdays and midweek events and 9:00 p.m. on Sundays. Practices shall be allowed whenever a race event is not occurring but only during the hours of 12:00 p.m. and 9:00 p.m. and shall be limited to one automobile or truck on the Outdoor Racetrack so no racing occurs.”

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

**M 107 26
Adjourn**

**A Motion was made by Mr. Rieley, seconded by Mr. McCarron to adjourn
at 2:28 p.m.**

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Respectfully submitted,

**Tracy N. Torbert
Clerk of the Council**

{An audio recording of this meeting is available on the County's website.}



Memorandum

To: Sussex County Council
The Honorable Douglas B. Hudson
The Honorable Jane Gruenebaum
The Honorable Matt Lloyd
The Honorable Steve McCarron
The Honorable John L. Rieley

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Everett Moore, County Attorney

Date: March 13, 2026

RE: County Council Report for C/U 2530 filed on behalf of Whitney Price

The Planning and Zoning Department received an application (C/U 2530 filed on behalf of Whitney Price) for a Conditional Use for seasonal bungalows (2-units) for the purpose of short-term rental in an AR-1 Agricultural Residential Zoning District at Tax Parcel 134-12.00-379.01. The property is located at 32293 Roxanna Road, Ocean View. The parcel size is 0.8 ac. +/-

The Planning & Zoning Commission held a Public Hearing on the application on January 7, 2026. At the meeting of February 18, 2026, the Planning & Zoning Commission recommended approval of the application for the 4 reasons stated and subject to the 9 recommended conditions of approval as outlined within the motion (copied below).

The County Council held a Public Hearing on the application at its meeting on February 10, 2026. As the recommendation had not been received, Council deferred action on the application, leaving the record open for receipt of the recommendation (which was reported to CC on February 24th) followed by a period 7 calendar days for receipt of any written comments in relation to the Commission's motion. The Public Record for the application automatically closed at the close of business on March 3, 2026.

Below are the minutes from the Planning & Zoning Commission meeting on January 7, 2026 and February 18, 2026.

Minutes of the January 7, 2026, Planning & Zoning Commission Meeting

C/U 2530 Whitney Price

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1



AGRICULTURAL RESIDENTIAL DISTRICT FOR SEASONAL BUNGALOWS (2 UNITS) FOR THE PURPOSE OF SHORT-TERM RENTAL TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.8 ACRE, MORE OR LESS. The property is located on the east side of Roxanna Road (Rt. 17) and the south side of Lucinda Drive, approximately 600 feet north of Burbage Road (S.C.R. 353). 911 Address: 32293 Roxanna Road, Ocean View. Tax Map Parcel: 134-12.00-379.01.

Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's Conceptual Site Plan, the Property Survey, the Applicant's Exhibits and photographs, the Staff Analysis, and the DelDOT Service Level Evaluation Response Letter. Mr. Whitehouse advised the Commission that six public comments had been received in relation to the Application, and that they were included within the Commission's Paperless Packet.

Mr. Whitehouse advised the Commission that the application was submitted via the Sussex County Constable's Department; that there had been ongoing back and forth from the Constables office and the Applicant leading up to the current public hearing; that Mr. Mark Rogers, Sussex County Chief Constable, was in attendance for the hearing in case the Commission had any questions.

The Commission found that Ms. Whitney Price spoke on behalf of her application. Ms. Price stated that she operates an Airbnb called Bohemian Rhapsody; that she had submitted her Airbnb listing and additional information and photographs of the site; that she only rents to one booking at a time, for up to six people at a time; that the Airbnb is located in her backyard, and is a part of her home; that she does not accept automatic bookings; that her guests must request to stay, at which point she looks to see if they guest has any reviews from Airbnb; that she may, or may not stalk their social media to get an idea and a feel for what kin of folks they are; that the Airbnb is part of her home, and she is concerned about her, her child's and her neighbor's safety; that she only operates from May 1st to October 31st each year; that it is a summer side hustle; that she was currently in public school education, and had been for 25 years, and she planned for this year to be her final year, which was another reason why it was imperative that she obtain a Conditional Use permit to continue running her Airbnb.

Madam Chair Wingate requested additional information regarding the structure of the buildings, as she was a bit confused when she visited the site, and how the application came before the Commission.

Mr. Whitehouse provided a historical background for the Commission, stating that the process began with the Sussex County Constables Department back in 2023; that at that time, a Notice of Violation was served in November 2023, which led to a back and forth with the Applicant; that in terms of building permit history, the dwelling on the property, being the main house, was permitted in 1989; that the accessory structures have not yet gone through Building Code review; that the first step is to secure land use approval; that if land use approval is received, the Building Code Department will retroactively review the structures; that currently he did not believe the structures had been inspected; that Sussex County would first need a Commercial Building Permit to be applied for, for all structures that are not being use as a single-family dwelling; that the commercial permit would proceed through

review and approval, and at that time, inspectors would visit the site to see what needs to be changed retroactively, and all of this would only happen if the Applicant received land use approval.

Mr. Mears questioned Mr. Whitehouse about how any setback violations would be addressed.

Mr. Whitehouse stated that if setback variance are required, and that he believed they would be required, the Applicant would also need to secure any variance approvals as well; that the Applicant did not currently have a variance(s), building permit(s) or land use approval, and that the current public hearing before the Commission was step one in the process.

Ms. Price stated that she wanted to plead ignorance; that she literally did not know; that she graduated in 2014 with a Master's Degree in school counseling; that, as a surprise gift, her former husband of 25 years, bought her a she-shed, which she had wanted; that she has three sons, who were very involved in sports, and she wanted space in her backyard; that she did not know about setbacks; that all she knew was that she wanted privacy in the shade and did not want to look at the house behind her; that she decorate it like the inside of Jeannie's bottle from *I Dream of Jeannie*; that it was her go-to place; that she purchased a second shed, again, not knowing that she needed permission from the government to stick a shed on my property; that she is a law-abiding citizen; that she did not do anything deliberately; that when 2020 hit she was visiting her friend, Mr. Charlie Lynch, who was changing her oil; that she was discussing her recent divorced, and needed to find a way to supplement her income; that she was too old to wait tables or bartend again; that he suggested she rent out her sheds on Airbnb; that at the time she did not know what Airbnb was; that he got her in contact with a friend, Leslie, who had a yurt in her backyard, located in Ocean View; that Leslie visited her property and the shed, stating that she was sitting on a gold mine; that she questioned who would want to sleep in an Amish-built shed, located in someone's backyard; that Leslie stated she had a beautiful property, an awesome taste in style, and a beautiful garden; that she was told the millennials call it "glamping"; that she then began researching online; that Leslie was her Airbnb mentor; that she did not know anything about a Conditional Use; that she did not know she was located within an AR-1 (Agricultural Residential) Zoning District; that she honestly did not know that she needed a Conditional Use permit or any of the stuff mentioned; that when the Constable visited her property, she had no idea it was her; that it has been quite an eye-opening process since the whole discovery in 2023; that she requested to present to the Commission her visuals and presentation; that engineer-wise, it is legitimately two Amish-built sheds; that the sheds are not insulated or air conditioned, and she provides fans for her guests an visitors, as she also uses the sheds for her friends and relatives who come to visit; that the sheds do not have a bathroom inside of them, which is where the "glamping" comes not play; that she provides an outdoor bathhouse, which is a separate structure with a toilet in it; that the bathhouse is very rustic, and deliberately open at the top; that the plumbing is plumbed into her house; that the black and grey water go into her septic; that DNREC has visited the site twice, as she believed someone called them with a complaint; that DNREC was concerned about my trash situation; that at that time, she showed them her trash, recycle and composting areas; that being environmentally friendly is very important to her; that the second time DNREC visited the site, they came to check the plumbing; that they made sure everything was legit; that the style she provides is very "hippy dippy" as those are the type of folks that she wants to attract; that she wants to attract folks who enjoy nature, who want to be in an outdoor bathhouse naked, taking a great shower with hot water and great

water pressure; that she proceeded to show the Commission photographs of the bathhouse, stating that all plumbing goes underneath, into the pan, that then goes into the part of her house; that they had always had the outdoor shower, as her boys would often surf, and they just added the toilet and the sink.

Mr. Mears questioned whether the site was served by public sewer or onsite septic, and if DNREC was ok with the addition of the bathroom.

Ms. Price stated that her site is served by a private septic, and that DNREC was ok with the addition of the bathroom.

Madam Chair Wingate questioned if Ms. Price had documentation from DNREC stating they were ok with the bathroom addition.

Ms. Price stated that she did not have approval documentation from DNREC; that she does have to get her septic pumped; that the area is easy to access; that the average night stay of her guests is about two nights; that in total, since 2020, she had only hosted approximately 190 people; that she had 168 reviews, including five-star reviews; that she showed the Commission a photo of her garden; that she referred to it as the “dead hedge,” and it is pollinator friendly; that her garden is another big part of her property; that it provides the ability to share fruits and vegetables with guests; that the little guests love helping her water the garden, check the butterflies and dragonflies; that music is a big deal in her life; that she attracts a lot of artists and musicians; that John Donato is a local mural artist, and a very good friend of hers; that he had helped contribute to many of the art projects on the property; that when her guests sit around the campfire, they can pick up a handmade instrument and make music; that she showed the Commission a photo view from the bungalows; that looking into her backyard, one can see her house; that when walking through the yard there is a Crepe Myrtle tree, but beyond that is the sand yard, and the other side of that is the bath house; that she had a back patio; that underneath the glass table (in the photograph) is the location of where the septic is pumped, and she showed a photo of this area which reflected its location in relation of the bathhouse.

Madam Chair Wingate requested more information regarding parking and the number of parking spaces.

Ms. Price stated that her property is a part of Townsend Acres; that she has two driveways, and one driveway is located directly off Roxanna Road, and the other is located off Lucinda Drive, being approximately 200 feet from Roxanna Road.

Madam Chair Wingate questioned whether there was a deed for Lucinda Drive, who owned Lucinda Drive, or if it was a shared easement.

Ms. Price stated that Lucinda Drive is a shared easement to serve the residents of Townsend Acres; that the easement information is stated on the survey; that she has parking signs; that she was instructed that she needed a light within a certain area, which was fine with her; that she has a lot of solar lighting around her property, however, she is willing to provide more; that she provided more

photos to the Commission for additional outdoor spaces; that she has an area called “Pinky” where her guests use grills to cook, and at times will cook over top of an outdoor fire pit; that her Airbnb is dog friendly; that she has a lot of repeat & returning visitors; that she had made lifelong friends because of this business; that the business had really been a blessing; that she had been used to her kids bouncing balls around the yard, and a lot of energy; that now she gets lonely; that the Airbnb has been therapeutic for her, as well as, financially very helpful; that the Airbnb is part of her retirement plan and is very important to her; that there had been a lot said from guests regarding the care and consideration she provides; that it is important to be steward of the earth, as we only have one; that she went through photos of backdrops and painted murals on the site; that when starting this process her friend had told her to just be herself, and that is what she did; that she presented to the Commission a photo of the smaller shed; that when guests visit with kids, they often prefer the smaller shed, referred to as the Surf Shack; that it was created with decorations from her boy’s bedrooms and a lot of thrifted items; that she is very into recycling and repurposing; that she presented a photo of the interior of her “Grateful Shed” to the Commission; that from the outside, the smaller shed is located to the right and the larger shed to the left; that she submitted a petition from her neighbors; that the petition support reads, *“protect homeowners’ rights to earn supplemental income from their property. Reasonable regulation, not prohibition, respects property ownership”*; that additionally, there was a letter of support submitted by her neighbor located directly adjacent to her; that it is a small community; that she has resided at the property for 27 years; that it has been a wonderful place to raise a family; that she is not requesting a rezoning, and that her only request is for some variance and a Conditional Use land permit.

Mr. Mears questioned whether there was a Homeowners Association (HOA) established for the community, if Ms. Price had a list of regulations that clients must agree to, and if so, whether the regulations include a “quiet time” at a certain time of the evening.

Ms. Price stated no, that there was no HOA established for the community; that she does not use the word “rules”, but rather refers to them as “guidelines”; that before she accepts an inquiry, her guests must agree that they have thoroughly read the guidelines and willing to be compliant of them, and that her proposed quiet time begins at 10:00 pm and ends at 8:00 am.

Madam Chair Wingate questioned if staff had any further information regarding Lucinda Drive; that she read the letter submitted into the record; that she understood that what was stated may potentially be an opinion and not factual.

Mr. Robertson stated that he reviewed the survey; that the survey reflected the access; however, the survey did not contain the actual easement language for Lucinda Drive, and he requested that the Commission hold the record open to allow him to conduct further research on Lucinda Drive to ensure there are no issues or concerns.

Ms. Price stated that she would like to add that the particular neighbor (who submitted the letter of opposition with comments regarding Lucinda Drive) had been a menace in their community since she moved in; that the neighbor had called the police on her then 8 and 10 year old sons for playing within Lucinda Drive, during a snowstorm, throwing boogie boards, running around and being normal kids;

that there was history between the two of them; that when she first began her business, all of her neighbors were aware of what was going on; that she had told them to come to her with any issues or concerns; that she stated her neighbors were her first priority, not the Airbnb guests; that if there was every a worry of guests driving too fast or being too loud, they should come to her; that she had not had issues, because she does not attract those kind of guests, and that it was not until the day before that she saw the submitted opposition.

Madam Chair Wingate stated that either way, everyone was entitled to their own opinion; that the Commission cannot take opinions into consideration, and that the Commission will ensure that the record is clear on the logistics of the roadway (of Lucinda Drive).

Ms. Price stated that when her former husband had a landscape business, he would access the driveway along Roxanna Road, and around the house, and down that back driveway, with his truck and trailer; that they have been using it (Lucinda Drive) since they moved into the house, and there had never been a complaint until recently.

Mr. Collins questioned whether Ms. Price would be willing, if required, to reroute the driveway to bring the driveway in from her main driveway, located off Roxana Road, being the state-maintained roadway.

Ms. Price stated that if it is deemed illegal for her to use Lucinda Drive, then she would; however, it was only because it was a thorn in the side of one neighbor, then she was unsure, and she was unsure if she understood the question.

Madam Chair Wingate stated that she believed Mr. Collins was questioning whether the rerouting of the driveway would be a possibility, if it was imposed as a requirement due to it being not legally acceptable for Lucinda Drive to be used, and if her business could still operate or would that requirement shut her business down.

Mr. Robertson stated that the issue is not opinions, as was stated; that Sussex County will research into what Lucinda Drive's easement states, because it is a private roadway, which may have imposed restrictions against commercial use, being only legally entitled to be used by the owners or occupants of the primary residences that are not rental units, and the Commission wants to ensure they are not placed in a position of approving something that is not in compliance with a potential private roadway agreement.

Ms. Price stated that she was trying to make it legal; that she heard Mr. Robertson make the statement regarding the drive being for primary residents and wanted to mention that the person who filed the opposition is not a primary resident, but a seasonal resident.

Madam Chair Wingate stated the resident may be seasonal, but she is the primary owner of the property.

Ms. Price stated that she found it ironic that her seasonal neighbor was complaining about her out-of-state visitors when she was one herself.

Mr. Robertson stated that this type of issue comes before the Commission all the time; that not necessarily complaints or even Airbnb's, but an issue where someone wants to essentially run a business use off a private road; that whenever this happens, the Commission always look at the easement, to ensure there are no legal restrictions or issues; that the Commission is not attempting to single Ms. Price out, nor is the Commission providing extra weight to the neighbor in opposition, and it is research that they always perform whenever an application comes in involving a private lane.

Ms. Price stated that she understood and that she would make it work if she was required to do so.

The Commission found that there was no one present who wished to speak in support of or in opposition to the Application.

Upon there being no further questions, Madam Chair Wingate closed the public hearing.

At the conclusion of the public hearing, the Commission discussed the Application.

In relation to C/U 2530 Whitney Price. Motion by Mr. Mears to defer action, leaving the record open to allow Counsel to perform research on the private lane of Lucinda Drive, and the DNREC approval letter, seconded by Mr. Collins and carried unanimously. Motion carried 3-0.

Minutes of the February 18, 2026, Planning & Zoning Commission Meeting

The Commission discussed the application which had been deferred since January 7, 2026.

Mr. Mears requested that Mr. Robertson read his prepared motion into the record.

Mr. Mears moved that the Commission recommend approval of Conditional Use No. 2530 for Whitney Price for two (2) seasonal bungalows based on the record made during the public hearing and for the following reasons:

1. This Application is for two (2) seasonal bungalows as short-term vacation rental units in addition to the Applicant's existing home on the property.
2. With the conditions and limitations included in this recommendation, it will not adversely affect neighboring properties.
3. With the use being limited to just two small seasonal bungalows, there will be no more than a very low impact upon traffic and area roadways.
4. The Applicant has stated that there is a need for this type of use and the bungalows provide a unique, affordable option for visitors to Sussex County and its beach areas.
5. This recommendation is subject to the following conditions:

- A. There shall be no more than two (2) bungalow-style structures on this property in addition to the Applicant's existing home. This use shall be considered a "Tourist Home" under the Code, and neither structure shall have kitchen facilities.
- B. It appears from the Preliminary Site Plan that a shed and one of the bungalows encroach onto the property's setbacks. These structures shall be relocated so that they are entirely outside of the setback areas. The location of the structures as relocated along with the bathroom facilities shall be shown on the Final Site Plan.
- C. Prior to Final Site Plan approval, the Applicant shall provide confirmation from DNREC that the septic system in use on the property is sufficient for the home and two bungalows.
- D. Prior to Final Site Plan approval, the Applicant shall confirm with County Staff that the bungalows and bathroom facilities comply with all applicable building codes for these types of uses.
- E. There shall be at least one (1) on-site parking space designated for each bungalow in addition to the two spaces required for the existing home. These shall be shown on the Final Site Plan and clearly marked at the site itself.
- F. The bungalows and bathroom facilities shall be screened from the view of neighboring properties and roadways by a vegetative buffer. The location of this buffer shall be shown on the Final Site Plan.
- G. One small unlighted sign shall be permitted. It shall not exceed 8 square feet in size.
- H. The use shall only be permitted to occur between March 1 and November 1 of each year.
- I. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission. It must be submitted to the Office of Planning & Zoning within 4 months of Council's action on this Application to avoid further Code enforcement against the Applicant and the property.

Mr. Passwaters and Mr. Allen stated that they had both watched the public hearing broadcast, and had reviewed the record, and therefore were eligible to vote on the application.

Motion by Mr. Mears, seconded by Mr. Collins, and carried unanimously to recommend approval of C/U 2530 Whitney Price for the reasons and the conditions stated in the motion. Motion carried 3-2.

Vote by roll call: Mr. Mears – yea, Mr. Allen – yea, Mr. Collins – nay, Mr. Passwaters – yea, Madam Chair Wingate – nay

Mr. Mears voted yea for the reasons and the conditions stated in the motion.

Mr. Allen voted yea for the reasons and the conditions stated in the motion.

Mr. Collins voted nay, expressing concern regarding setting a precedence for a use that potentially could easily spread through the beach areas, and potentially may create more disruption than desired.

Mr. Passwaters voted yea for the reasons and conditions stated in the motion.

Madam Chair Wingate voted nay, for the reasons expressed by Mr. Collins; that while she supports small businesses, that there are a lot of current communities within Sussex County that do not have established Homeowners Associations (HOA's) to protect the residents who currently live there, and expressed her concern regarding the proposed use occurring in other locations in the future.

PLANNING & ZONING COMMISSION

HOLLY WINGATE, CHAIR
J. BRUCE MEARS, VICE-CHAIR
JEFF ALLEN
SCOTT COLLINS
JOHN PASSWATERS

DIRECTOR



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: January 7, 2026

Application: C/U 2530 Whitney Price

Applicant: Whitney Price

Owner: Whitney Price

Site Location: The property is lying on the east side of Roxanna Road (Rt. 17) and the south side of Lucinda Drive, approximately 600 feet north of Burbage Road (S.C.R. 353)

Current Zoning: Agricultural Residential (AR-1)

Proposed Use: Multi-Family Bungalows (2 Units) for short-term, seasonal rental

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: District 4 – Mr. Doug Hudson

School District: Indian River School District

Fire District: (84) Millville Fire Company

Sewer: Proposed Holding Tank

Water: Private (Well)

Site Area: .88 acre (34,656 SF)

Tax Map ID.: 134-12.00-379.01





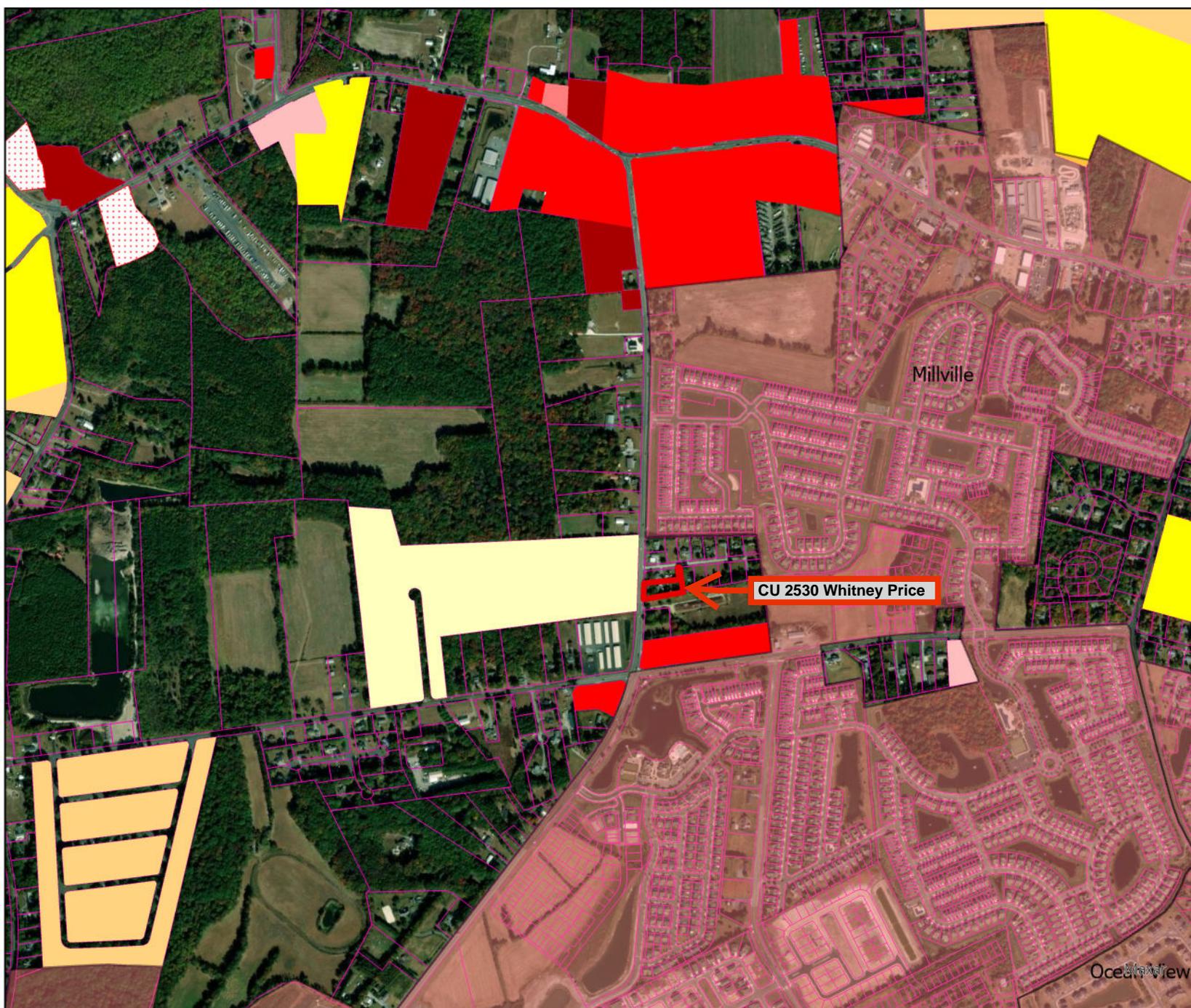
CU 2530 Whitney Price
Street Map
TM# 134-12.00-379.01

 **CU 2530 Whitney Price**

N

0 125 250 500 Feet





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
-  Commercial Residential - CR-1
-  Institutional - I-1
-  Marine - M
-  Limited Industrial - LI-1
-  Light Industrial - LI-2
-  Heavy Industrial - HI-1
-  C1: General Commercial
-  C2: Medium Commercial
-  C3: Heavy Commercial
-  C4: Planned Commercial
-  C5: Service/Limited Manufacturing
-  B-1: Neighborhood Business
-  B-2: Business Community District
- B-3: Business Research

CU 2530 Whitney Price Zoning Map
TM# 134-12.00-379.01

 CU 2530 Whitney Price
 Municipal Boundaries



N



0 500 1,000 2,000 Feet



Introduced: 12/9/25

Council District 4: Mr. Hudson
Tax I.D. No.: 134-12.00-379.01
911 Address: 32293 Roxanna Road, Ocean View

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SEASONAL BUNGALOWS (2 UNITS) FOR THE PURPOSE OF SHORT-TERM RENTAL TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.8 ACRE, MORE OR LESS

WHEREAS, on the 14th day of May 2024, a Conditional Use application, denominated Conditional Use No. 2530, was filed on behalf of Whitney Price; and

WHEREAS, on the ____ day of _____ 2026, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County, and said Planning and Zoning Commission recommended that Conditional Use No. 2530 be _____; and

WHEREAS, on the ____ day of _____ 2026, 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, Subsections 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2530 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 Sussex County, Delaware, and lying on the east side of Roxanna Road (Rt. 17) and the south side of Lucinda Drive, approximately 600 feet north of Burbage Road (S.C.R. 353) and being more particularly described in the attached legal description prepared by Parsons & Robinson, P.A. said parcel containing 0.8 acre, 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.

Bobbi Albright

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>
Sent: Friday, January 30, 2026 5:07 PM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization Sussex Elite Legends

Project Name 2026 Season and Capital Program

Federal Tax ID 88-0632252

Non-Profit Yes

Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.) No

Organization's Mission Sussex Elite Legends provides boys and girls from racially and financially diverse backgrounds with a safe, structured, and positive environment in which to grow—not only as athletes, but as young people of integrity, accountability, and respect. The youth that is served through our organization resides primarily in Lower Sussex County, Delaware.

Address 30660 Holts Landing Road

City Dagsboro

State	Delaware
Zip Code	19939
Contact Person	Tammy Brittingham
Contact Title	Board of Directors- Fundraising Chair
Contact Phone Number	4109375965
Contact Email Address	sussexlegendsfundraising@gmail.com
Total Funding Request	1000
Has your organization received other grant funds from Sussex County Government in the last year?	No
If YES, how much was received in the last 12 months?	N/A
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	8

Program Category (choose all that apply)	Other
Primary Beneficiary Category	Youth
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	100
Scope	<p>On behalf of our organization, I respectfully request that you consider a charitable contribution of \$1,000 to support our program. Many of the families we serve face financial challenges, and without community support, participation in organized youth sports would be out of reach for some of these children.</p> <p>Sussex Elite Legends Youth Football and Cheer is a registered 501(c)(3) nonprofit organization. These funds would be used directly for essential needs, including safety equipment, uniforms, field and league expenses, and scholarships for families experiencing financial hardship.</p>
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	0.00
Description	AYF League Fees
Amount	1,000.00
Description	Insurance

Amount	1,162.00
Description	Referees
Amount	4,160.00
Description	Uniforms and Safety Equipment
Amount	5,300.00
Description	Porta Potty
Amount	360.00
Description	2026 Awards Banquet
Amount	2,000.00
Description	Administrative/Marketing Expenses
Amount	800.00
TOTAL EXPENDITURES	14,782.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-14,782.00
Name of Organization	Sussex Elite Legends
Applicant/Authorized Official	Tammy Brittingham
Date	01/30/2026
Affidavit Acknowledgement	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Bobbi Albright

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>
Sent: Tuesday, February 24, 2026 1:28 PM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization Milton Historical Society

Project Name Milton: Black and White Historical Photography Exhibit-
Printing of Exhibits

Federal Tax ID 23-7158119

Non-Profit Yes

Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.) No

Organization's Mission The Milton Historical Society is a nonprofit cultural and educational organization dedicated to increasing public understanding and appreciation of the history of Milton and the Broadkill Hundred. The Society collects, preserves, and interprets stories, artifacts and documents related to Milton and the Broadkill Hundred for study and education. We welcome the participation of people of all ages in sharing informative and engaging experiences that will encourage them to discover and appreciate their heritage.

Address P.O. Box 112

City	Milton
State	Delaware
Zip Code	19968
Contact Person	DeeDee Wood
Contact Title	Executive Director
Contact Phone Number	3026841010
Contact Email Address	visit@historicmilton.org
Total Funding Request	1865.00
Has your organization received other grant funds from Sussex County Government in the last year?	No
If YES, how much was received in the last 12 months?	N/A
Are you seeking other sources of funding other than Sussex County Council?	No
If YES, approximately what percentage of the project's funding does the Council grant represent?	N/A

Program Category (choose all that apply)	Cultural Educational
Primary Beneficiary Category	Other
Beneficiary Category Other	Delmarva residents and visitors, as well as schools and nursing homes
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	3000
Scope	<p>Each year, we create an exhibit showcasing Milton, Delaware's past through an educational and cultural exhibit that showcases content or objects from our museum. This year, we are presenting Milton: Black and White, Early 20th Century Photography from the William E. Douglas Collection. This exhibit showcases about 20 historical black and white photos that show Milton and the surrounding area as it once looked in the early 20th century. It will be valuable for educational outreach, cultural interest and showcasing Sussex County's rich cultural and historical heritage. The exhibit will be free for all who wish to attend. We are asking for assistance with paying for the printing portion of the exhibit, which is going to cost 1865.00 this year. We are paying for all of the marketing, hired installment, painting of exhibit interiors and other costs associated with the exhibit, and are requesting the printing costs of the exhibit in this request.</p>
Please enter the current support your organization receives for this project (not entire organization)	0.00

revenue if not applicable to request)

Description Marketing Materials

Amount 1,000.00

Description Merchandise for Exhibit

Amount 500.00

Description Painting and Install Costs

Amount 1,800.00

Description Printing of Exhibit

Amount 1,865.00

TOTAL EXPENDITURES 5,165.00

TOTAL DEFICIT FOR PROJECT OR ORGANIZATION -5,165.00

Name of Organization Milton Historical Society

Applicant/Authorized Official DeeDee Wood

Date 02/24/2026

Affidavit Acknowledgement Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status. Please feel free to email clientservices@d3corp.com with any questions.

Bobbi Albright

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>
Sent: Tuesday, February 17, 2026 10:17 AM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization The Town of Laurel

Project Name 4th of July Fireworks Display

Federal Tax ID 51-6000168

Non-Profit Yes

Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.) No

Organization's Mission Our mission is to foster a safe, welcoming, and family-friendly community where diversity is celebrated, neighbors support one another, and the rich heritage that shaped our town is honored and preserved for future generations.

Address 201 Mechanic Street

City Laurel

State DE

Zip Code 19956

Contact Person	Jamie Smith
Contact Title	Town Manager
Contact Phone Number	3028752277
Contact Email Address	laureltm@comcast.net
Total Funding Request	2000
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	2000
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	8
Program Category (choose all that apply)	Other
Program Category Other	Family Event Celebrating the 4th of July

Primary Beneficiary Category	Other
Beneficiary Category Other	community and surrounding communities
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	8000
Scope	To help cover the cost of the annual fireworks display Currently Laurel is the only town in Western Sussex that has a fireworks display.
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	12,000.00
Description	Fireworks
Amount	25,000.00
TOTAL EXPENDITURES	25,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-13,000.00
Name of Organization	The Town of Laurel
Applicant/Authorized Official	Jamie Smith

Date	02/13/2026
-------------	------------

Affidavit	Yes
------------------	-----

Acknowledgement	
------------------------	--

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Bobbi Albright

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>
Sent: Wednesday, March 4, 2026 11:51 AM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization Mariner Middle School Business Professionals of America

Project Name 2026 National Leadership Conference

Federal Tax ID 51-6000279

Non-Profit Yes

Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.) No

Organization's Mission The Mariner Middle School chapter of Business Professionals of America (BPA) is committed to developing and empowering student leaders through meaningful opportunities in learning, professional growth, and service. In alignment with the Cape Henlopen School District's mission of Excellence, Equity, and Responsiveness—Every Student, Every Classroom, Every Day, our program provides students with equitable access to career and leadership experiences that extend beyond the classroom. Through competitive events, leadership development programs, and community service initiatives, BPA encourages students to strengthen their academic, professional, and civic skills

	while discovering their passions and preparing to become responsible, engaged leaders in their communities.
Address	Mariner Middle School
Address 2	16391 Harbeson Road
City	Milton
State	DE
Zip Code	19968
Contact Person	Dr. Daniel Shockley
Contact Title	Advisor
Contact Phone Number	3026848516
Contact Email Address	danielh.shockley@cape.k12.de.us
Total Funding Request	\$2000.00
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	1500.00
Are you seeking other sources of funding other than Sussex County Council?	Yes

If YES, approximately what percentage of the project's funding does the Council grant represent?	10
Program Category (choose all that apply)	Educational
Primary Beneficiary Category	Youth
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	12
Scope	<p>The Mariner Middle School chapter of Business Professionals of America (BPA) is seeking grant support to assist students who have qualified to attend the 2026 BPA National Leadership Conference in Nashville, Tennessee. BPA provides middle school students with opportunities to develop leadership, communication, and career readiness skills through competitive events in areas such as business, finance, marketing, and information technology. After months of preparation and competition, several Mariner students earned top placements at the Delaware BPA State Leadership Conference, qualifying them to represent their school and state at the national level.</p> <p>Participation in the National Leadership Conference allows students to apply classroom learning in a real-world setting while engaging in leadership workshops, professional development sessions, and national-level academic competitions. However, the cost associated with travel, registration, and lodging can create financial barriers for some families.</p>

Grant funding will help offset these expenses and ensure that all qualified students have the opportunity to participate regardless of financial circumstance. By reducing these barriers, the program expands equitable access to leadership development, career exploration, and national academic competition for middle school students within the Cape Henlopen School District.

Religious Components

n/a

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)

2,500.00

Description

Conference Registration

Amount

2,000.00

Description

Lodging

Amount

4,100.00

Description

Airfare

Amount

4,300.00

Description

Ground Transportation

Amount

2,300.00

Description

Student Activities / Excursions

Amount

1,000.00

Description	Equipment
Amount	500.00
TOTAL EXPENDITURES	14,200.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-11,700.00
Name of Organization	Mariner Middle School BPA
Applicant/Authorized Official	Dr. Daniel Shockley
Date	03/04/2026
Affidavit Acknowledgement	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.