



Sussex County Council Public/Media Packet

**MEETING:
December 1, 2020**

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**Sussex County Council
2 The Circle | PO Box 589
Georgetown, DE 19947
(302) 855-7743**

COUNTY COUNCIL

MICHAEL H. VINCENT, PRESIDENT
IRWIN G. BURTON III, VICE PRESIDENT
DOUGLAS B. HUDSON
JOHN L. RIELEY
SAMUEL R. WILSON JR.



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7743 T
(302) 855-7749 F

SUSSEX COUNTY COUNCIL

A G E N D A

DECEMBER 1, 2020

1:00 P.M.

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA

Call to Order

Approval of Agenda

Approval of Minutes – November 17, 2020

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

- 1. Building Code Board of Adjustments & Appeals Appointments**
- 2. Personnel Board Appointments**
- 3. Administrator’s Report**

10:30 a.m. Public Hearing [CANCELED]

“AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXV, SECTION 115-194.3 OF THE CODE OF SUSSEX COUNTY REGARDING THE COASTAL AREA”

NOTE - This Public Hearing has been canceled.



Old Business

Conditional Use No. 2237 filed on behalf of Samuel C. Warrington II

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR OUTDOOR RV AND BOAT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.5 ACRES, MORE OR LESS” (property lying on the southeast side of Postal Lane, approximately 0.38 mile southwest of Coastal Highway (Route 1) (Tax I.D. No. 334-12.00-55.01 (Portion of) (911 Address: None Available)

John Ashman, Director of Utility Planning

1. **Proposed Blackwater Village Area of the Unified Sanitary Sewer District – Public Hearing Results and Proposed Boundary Resolution**

Hans Medlarz, County Engineer

1. **EMS 200/Medic 100 Station, Project C19-08**
 - A. **The Whayland Company, Change Order 1**

Grant Requests

1. **Georgetown Historical Society Grant for Barrel Barn renovations**
2. **Bethany Beach - Fenwick Island Chamber of Commerce for a Shop Local initiative**
3. **Laurel Historical Society for Millhand House renovations**
4. **Police Unity Tour, Chapter 10 for Annual Police Unity Memorial Bicycle Tour**
5. **Grace-N-Mercy Ministries for Community Dinner**
6. **Town of Blades for Kids Christmas Fund**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

Executive Session – Land Acquisition pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session items

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA.

Conditional Use No. 2247 filed on behalf of Hillary Brock

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MINI SPA TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.50 ACRES, MORE OR LESS” (property lying on the west side of Beaver Dam Road (Route 23) approximately 0.41 mile south of Hopkins Road (S.C.R. 286) (Tax I.D. No. 234-5.00-44.09) (911 Address: 19950 Beaver Dam Road, Lewes)

Change of Zone No. 1930 filed on behalf of Indian River School District

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A I-1 INSTITUTIONAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 186.98 ACRES, MORE OR LESS” (property lying on the east and west side of Patriot’s Way) (Tax I.D. Nos. 133-7.00-8.01 & 133-11.00-105.00) (911 Address: 26026 Patriots Way, Georgetown & None Available)

Change of Zone No. 1932 filed on behalf of Jeff-Kat, LLC

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.78 ACRE, MORE OR LESS” (property lying on the east side of Kings Highway (Route 9) approximately 900 feet southeast of Theodore C. Freeman Highway (S.C.R. 23) (Tax I.D. No. 335-8.00-40.00 (part of) (911 Address: 1005 Kings Highway, Lewes)

Adjourn

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on November 24, 2020 at 3:45 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.

Further meeting access instructions are listed below.

-MEETING INSTRUCTIONS-

The Sussex County Council is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in-person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited and seating assignments will be enforced.

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

The County is required to provide 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://sussexcountye.gov/agendas-minutes/county-council>.

If any member of the public would like to submit comments electronically, please feel free to send them to rgriffith@sussexcountye.gov. All comments shall be submitted by 4:30 P.M. on Monday, November 30, 2020.

#

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 17, 2020

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, November 17, 2020, at 10:00 a.m., in Council Chambers, with the following present:

Michael H. Vincent	President
Irwin G. Burton III	Vice President
Douglas B. Hudson	Councilman
John L. Rieley	Councilman
Samuel R. Wilson Jr.	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 456 20
Approve
Agenda**

A Motion was made by Mr. Wilson, seconded by Mr. Hudson, to approve the Agenda, as posted.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of November 10, 2020 were approved by consent.

**Corre-
spondence**

Mr. Moore noted that correspondence was received from the following: Champions for Children's Mental Health, Milford Housing Development Corporation, and Nanticoke Senior Center.

**Public
Comments**

There were no public comments.

**Western
Sussex
Business
Campus**

David Genshaw, Mayor of the City of Seaford, and Charles Anderson, City Manager, presented and discussed a proposal for a Western Sussex Business Campus to be located on a parcel of land located at Herring Run Road and Ross Station Road. The City has two business parks surrounding this property that are completely full. The Mayor reported that, recently, a Letter of Intent was received from a major developer to buy half of the park and that with the purchase of half of this park, once the infrastructure is in, the developer is committing to build a \$4 million to \$6 million building.

**Western
Sussex
Business
Campus
(continued)**

Mr. Anderson reported on the concept development plan of the Western Sussex Business Campus. He noted that the property is adjacent to a lot of infrastructure, i.e. water tower and large sewer mains; that they plan to develop the site in four (4) phases; that the initial entrance would be created along Herring Run Road; that the cost for Phase One to develop four lots is approximately \$1.9 million; that the schedule is for construction to begin in early Spring 2021 and they project that the first four lots (to accommodate the Developer's request) will be completed in Fall 2021; that the Developer would own the lots/buildings; and that the City would own and maintain the infrastructure facilities and would manage the park.

The Mayor asked the County to consider partnering with the City to support the development of the project which will provide increased employment opportunities for all of Sussex County.

Also in attendance was Trisha Newcomer, City of Seaford's Economic Development Director.

No action was taken on this date.

**2021
Schedule**

Mr. Lawson presented the proposed Sussex County 2021 Schedule for the Council's consideration.

**M 457 20
Approve
2021
Holiday
and
Council
Schedule**

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that the Council approves the 2021 Holiday Schedule and the 2021 County Council Meeting Schedule, as follows:

Holiday Schedule

New Year's Day	January 1 (Friday)
Martin Luther King, Jr. Day	January 18 (Monday)
Good Friday	April 2 (Friday)
Memorial Day	May 31 (Monday)
Independence Day	July 5 (Monday)
Labor Day	September 6 (Monday)
Veterans Day	November 11 (Thursday)
Thanksgiving	November 25 (Thursday)
	November 26 (Friday)
Christmas	December 23 (Thursday)
	December 24 (Friday)
New Year's Day (2022)	December 31 (Friday)

(The County grants two floating holidays to eligible employees per calendar year in accordance with the Floating Holiday Policy.)

**M 457 20
Approve
2021
Holiday
and
Council
Schedule
(continued)**

Sussex County Council Meeting Schedule

The Sussex County Council will not meet on the following dates in the Year 2021:

**JANUARY 19
FEBRUARY 23
MARCH 30
APRIL 6
MAY 4 (no regular meeting – budget workshop)
JUNE 1
JULY 6
JULY 20
AUGUST 3
AUGUST 17
SEPTEMBER 7
OCTOBER 5
NOVEMBER 2
NOVEMBER 23
DECEMBER 21
DECEMBER 28**

Motion Adopted: 4 Yeas, 1 Abstention.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Abstained; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Adminis-
trator's
Report**

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

1. Delaware State Police Activity Report

The Delaware State Police year-to-date activity report for October 2020 is attached listing the number of violent crime and property crime arrests, as well as total traffic charges and corresponding arrests. In addition, DUI and total vehicle crashes investigated are listed. In total, there were 189 troopers assigned to Sussex County for the month of October.

2. Council Meeting/Holiday Schedule

Council will not meet on Tuesday, November 24th, during the week of Thanksgiving. County offices will be closed on Thursday, November 26th, and Friday, November 27th, for the Thanksgiving holiday and will reopen on Monday, November 30th, at 8:30 a.m. The next regularly scheduled Council meeting will be held on December 1st at 10:00 a.m.

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

Proposed Ordinance Relating to Pension Benefits Mrs. Jennings presented for Council’s consideration a Proposed Ordinance amending the Sussex County Code relating to pension benefits. This ordinance achieves two goals: (1) ensures the County’s pension plan continues to be considered as a qualified pension plan under the Internal Revenue Service Code, and (2) requires employees hired after December 30, 2020 to pay a 5% contribution to their pension. Mrs. Jennings noted that none of these revisions change the benefits that current employees are receiving as of this date.

Introduction of Proposed Ordinance Relating to Pension Benefits Mr. Burton introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF SUSSEX COUNTY RELATING TO PENSION BENEFITS FOR SUSSEX COUNTY EMPLOYEES REGARDING EMPLOYEE ELIGIBILITY AND CONTRIBUTIONS, AND TO BRING THE CODE INTO COMPLIANCE WITH THE UNITED STATES INTERNAL REVENUE CODE”.

The Proposed Ordinance will be advertised for Public Hearing.

CARES Act CDBG-CV1 Grant Agreement Brandy Naumann, Housing Coordinator & Fair Housing Compliance Officer, noted that on June 30 and September 22, 2020, she provided progress updates on the supplemental CARES Act funding made available to Sussex County through the Community Development Block Grant (CDBG) program to prevent, prepare for, and respond to the spread of COVID-19. Mrs. Naumann asked for Council’s approval of a Resolution authorizing the execution of agreements for CARES Act CDBG-CV funding.

M 458 20 Adopt Resolution R 016 20 A Motion was made by Mr. Burton, seconded by Mr. Hudson, to Adopt Resolution No. R 016 20 entitled “A RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS FOR CARES ACT CDBG-CV FUNDING”.

Motion Adopted: 4 Yeas, 1 Abstention.

Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Abstained; Mr. Burton, Yea; Mr. Vincent, Yea

IBRWF Biosolids & Septage Facilities/ Project 18-19 Hans Medlarz, County Engineer, presented Change Order No. 8, in the amount of \$105,538.94, to Project 18-19, Inland Bays Regional Wastewater Facility (IBRWF) – Biosolids & Septage Facilities. Items included in Change Order No. 8 are: provide a curtain system at the dryer building to reduce weather effects and replace thermal fluid piping for the biosolids dryer.

M 459 20 Approve Change Order A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 8 for Contract 18-1, Inland Bays Regional Wastewater Facility (IBRWF) – Biosolids & Septage Facilities, be approved, increasing

M 459 20 the contract amount by **\$105,538.94** for a new contract total of
(continued) **\$14,070,621.37.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Mulberry Knoll Forcemain and Pump Station Hans Medlarz, County Engineer, presented the bid results for Project S20-14, Mulberry Knoll Forcemain and Pump Station. Project S20-14 is for the construction of the Mulberry Knoll pump station and forcemain for sewer conveyance. A total of seven bids were submitted; Teal Construction submitted the low bid in the amount of **\$1,368,000.00.**

M 460 20 A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon
Award Contract S20-14/ Mulberry Knoll Forcemain and Pump Station the recommendation of the Sussex County Engineering Department, that Contract S20-14, Mulberry Knoll Pump Station and Forcemain be awarded to Teal Construction, Inc. for the total bid of **\$1,368,000.00**, contingent upon concurrence of the State Funding Agency.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Contract Amendment for Project S20-14 Hans Medlarz, County Engineer, presented Amendment No. 3 to the KCI Technologies Base Owner-Engineer Professional Services Agreement, dated September 10, 2019, at a not-to-exceed value of **\$42,300.00**, for as-needed construction phase services related to Mulberry Knoll Pump Station & Forcemain, Project S20-14.

M 461 20 A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon
Approve Contract Amendment for Project S20-14/ Mulberry Knoll Pump Station and Forcemain the recommendation of the Sussex County Engineering Department, that Amendment No. 3 to the five-year Miscellaneous Engineering Services Agreement with KCI Technologies, Inc. be approved in the amount not-to-exceed **\$42,300.00** for as-needed construction phase services related to Project S20-14, Mulberry Knoll Pump Station.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Grant Requests

Mrs. Jennings presented grant requests for Council's consideration.

M 462 20 Councilmanic Grant

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to give \$3,000.00 from Mr. Burton's Councilmanic Grant Account to the Greater Lewes Community Village for operating and equipment expenses.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

M 463 20 Councilmanic Grant

A Motion was made by Mr. Rieley, seconded by Mr. Burton, to give \$1,000.00 (\$500.00 each from Mr. Vincent's and Mr. Rieley's Councilmanic Grant Accounts) to the Good Samaritan Aid Organization for Christmas outreach for families in need.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

M 464 20 Councilmanic Grant

A Motion was made by Mr. Burton, seconded by Mr. Hudson, to give \$2,000.00 (\$400.00 from each Councilmanic Grant Account) to Autism Delaware for the Blue Jean Ball fundraiser.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Introduction of Proposed Ordinances

Mr. Hudson introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-13.00-29.00, 235-13.00-29.01 & 235-14.00-570.00".

Mr. Burton introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A REAL ESTATE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.709 ACRE, MORE OR LESS" (Conditional Use No. 2246) filed on behalf of Bee Wise, LLC (Tax I.D. No. 334-12.00-24.00) (911 Address: 20028 John J. Williams Highway, Lewes).

Introduction of Proposed Ordinances (continued) **Mr. Rieley introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MULTI FAMILY (41 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 20.91, MORE OR LESS” (Conditional Use No. 2249) filed on behalf of Mayapple Farms, LLC. (Tax I.D. No. 533-19.00-289.05) (911 Address: None Available).**

The Proposed Ordinances will be advertised for Public Hearing.

M 465 20 Go Into Executive Session **At 11:19 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Burton, to recess the Regular Session and go into Executive Session to discuss matters relating to pending litigation and land acquisition.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Executive Session **At 11:25 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to pending litigation and land acquisition. The Executive Session concluded at 1:34 p.m.**

M 466 20 Reconvene **At 1:37 p.m., a Motion was made by Mr. Burton, seconded by Mr. Wilson, to reconvene the Regular Session.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Rules **Mr. Moore read the rules of procedure for zoning hearings.**

**Public Hearing/
CZ 1928** **A Public Hearing was held on the 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 LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 11.570 ACRES, MORE OR LESS” (Change of Zone No. 1928) filed on behalf of Plantation Partners, LLC (Tax I.D. No. 334-12.00-52.00 (portion of) (911 Address: None Available).**

**Public
Hearing/
CZ 1928
(continued)**

The Planning and Zoning Commission held a Public Hearing on this application on October 22, 2020 at which time action was deferred. On November 12, 2020, the Commission recommended approval.

(See the minutes of the Planning and Zoning Commission dated October 22 and November 12, 2020.)

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

The Council found that David Hutt, Attorney, was present on behalf of the Applicant and the property owner (J.G. Townsend Jr. & Co.) Also present were Nick Hammonds, Principal of the Applicant, and Ring Lardner and Cliff Mumford with Davis Bowen & Friedel.

Mr. Hutt stated that this application is for 11.5 acres of approximately 114 acres located on the southwest side of Plantation Road; that the property is currently unimproved; that the purpose of the C-2 zoning supports uses that include retail sales and performance of consumer services, that it permits a variety of retail, professional and services businesses, that the district shall be primarily located near arterial and collector streets, that it accommodates community commercial uses that do not have outside storage or sales; that surrounding uses include a variety of uses that are similar to the uses allowed in the C-2 District, including an office park, a church, and a paramedic station; that across Route 24 is the Beebe Medical campus; that this application fits the exact purpose of the C-2 District as described in the Zoning Code; that the 2020 Delaware Strategies for State Policies and Spending designate this property and surrounding properties as being in an Investment Level 2 Area; that the site is located in the Coastal Area according to the 2018 Comprehensive Plan; that public water and sewer are available; that DelDOT did not require a Traffic Impact Study; and that this property lies within the Henlopen Transportation Improvement District.

There were no public comments.

The Public Hearing and public record were closed.

**M 467 20
Adopt
Ordinance
No. 2754/
CZ 1928**

A Motion was made by Mr. Burton, seconded by Mr. Hudson, to Adopt Ordinance No. 2754 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 LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 11.570 ACRES, MORE OR LESS” (Change of Zone No. 1928) filed on behalf of Plantation Partners, LLC.

Motion Adopted: 5 Yeas.

**M 467 20
(continued)**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
CU 2228**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 (AGRICULTURAL RESIDENTIAL DISTRICT) FOR A CAMPGROUND FOR MOBILE CAMPERS, CAMP TRAILERS, TOURING VANS AND THE LIKE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 73.91 ACRES, MORE OR LESS” (Conditional Use No. 2228) filed on behalf of M. L. Joseph Heirs Farm Account, LLC (Tax I.D. No. 135-15.00-55.01) (911 Address: 22349 Lewes-Georgetown Highway, Georgetown).

The Planning and Zoning Commission held a Public Hearing on this application on October 22, 2020 at which time action was deferred. On November 12, 2020, the Commission recommended approval with the following conditions:

- a. There shall be no more than 304 camping and RV sites and no more than 46 cabins within the campground.**
- b. All entrance and roadway improvements and any other DelDOT requirements shall be completed as required by DelDOT.**
- c. The campground shall be connected to the Town of Georgetown’s central sewer system.**
- d. The campground shall be connected to the Town of Georgetown’s water system for domestic use and fire protection.**
- e. Stormwater management and sediment and erosion control facilities shall be constructed in accordance with applicable State and County requirements and maintained using Best Management Practices. The Final Site Plan shall contain the approval of the Sussex Conservation District.**
- f. The Development shall be surrounded by a 50-foot landscaped buffer.**
- g. The entire facility may open no earlier than March 1st of each year and shall close no later than November 30th of each year.**
- h. The campground shall remain vacant and no campers or RVs shall be stored on the campsites during the period that the campground is closed. This prohibition shall not include designated storage areas shown on the Final Site Plan, or the cabins, which may remain unoccupied in their respective locations.**
- i. There shall be no accessory buildings located on individual campsites.**
- j. Campground restrictions shall be submitted as part of the site plan review. These shall include “Quiet Hours” between 10:00 p.m. and 7:00 a.m. each day.**
- k. All units to be used for the purpose of human habitation on campsites shall be tents, travel trailers, recreation vehicles and equipment manufactured specifically for camping purposes.**
- l. The Developer shall plan the entrance design to accommodate a DART**

**Public
Hearing/
CU 2228
(continued)**

- bus stop and turnabout in consultation and cooperation with DART.**
- m. One sign not exceeding thirty-two (32) square feet per side, with lighting, shall be permitted at the entrances to Route 9 and Sand Hill Road. The lighting for the signs shall not shine on any neighboring properties or roadways.**
 - n. All lighting shall be downward screened so that it does not shine on neighboring communities or roadways.**
 - o. Any wetlands on the site shall be clearly marked to avoid disturbance. The location and type of these markers shall be shown on the Final Site Plan.**
 - p. The Applicant shall identify all “dwellings” in the vicinity of the property that require a 400 foot buffer pursuant to Section 115-172H(3) of the Sussex County Code. All campsites and cabins shall be a minimum of 400 feet from any dwelling that exists at the time of Final Site Plan approval.**
 - q. All campsites must be 2000 square feet in size and at least 40 feet wide.**
 - r. No cabin or campsite shall have direct access to any road outside of the boundaries of the campground. Access to the campground shall be gated and restricted so that the only access shall be from the established entrance points.**
 - s. There shall be no sales of campsites or camping units, including park models, RVs, travel trailers or cabins.**
 - t. The campground shall comply with all of the requirements of Section 115-172H.**
 - u. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

(See the minutes of the Planning and Zoning Commission dated October 22 and November 12, 2020.)

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

The Council found that David Hutt, Attorney, was present on behalf of the Applicant with Ken Adams, one of the owners of the property, and Mark Davidson with the Pennoni Group. Mr. Hutt stated that the application is for a 350-unit RV resort (304 RV sites and 46 cabins/safari cabins); that this property was the location of the Georgetown Raceway in the 1970s; that tourism is not just limited to the beaches and Inland Bays; that Sports at the Beach in Georgetown draws thousands of people annually; that recently developed is the Sand Hill Sports Complex which is located in close proximity to the application site and which will also draw thousands of people; that the RV industry has performed well during the pandemic; that RV parks are only allowed by Conditional Use in two zoning districts in the County (AR-1 Zoning and Marine Zoning); that a portion of the property is adjacent to the town limits of Georgetown and as Georgetown does not have a zoning district for RV parks and campgrounds, the subject property would not be considered for annexation into the Town’s boundaries; that the Town of Georgetown, Sports at the Beach, and Sand Hill Sports

**Public
Hearing/
CU 2228
(continued)**

Complex all submitted letters in support of the application; that within the County’s boundaries there are a number of commercial properties adjacent to the property; that the 2015 Strategies for State Policies and Spending identifies this property as being in Investment Levels 2 and 3; that according to the 2019 Comprehensive Plan, this property is located in the Developing Area, which is a growth area; that they propose to use both roads as access points; that the Applicant proposes a phasing plan for this project and the first phase would be the western portion of the property which would use the Sandhill Road entrance for access; that DelDOT’s response was that this proposal would have a minor impact on Georgetown East Gateway Improvements; that water and sewer services will be provided by the Town of Georgetown; that there will be no accessory structures on the site except for one dwelling for the campground manager; and that RV resorts and campgrounds are subject to special requirements per 115-172(H) of the County Code. Mr. Hutt reviewed the special requirements, with seven of the nine requirements pertaining to this application.

Public comments were heard.

Mike Johnson spoke in support of the application. He noted the ease of access to the proposed campground from the entire East coast and he commented on the economic benefit of the proposed use.

There were no additional public comments and the Public Hearing was closed.

**M 468 20
Strike
Condition G**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, to strike Condition G recommended by the Planning and Zoning Commission.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 469 20
Strike
Portion of
Condition J**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, to strike the second sentence in Condition J recommended by the Planning and Zoning Commission.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 470 20
Adopt
Ordinance
No. 2755**

A Motion was made by Mr. Rieley, seconded by Mr. Burton to Adopt Ordinance No. 2755 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 (AGRICULTURAL

**M 470 20
Adopt
Ordinance
No. 2755/
CU 2228
(continued)**

RESIDENTIAL DISTRICT) FOR A CAMPGROUND FOR MOBILE CAMPERS, CAMP TRAILERS, TOURING VANS AND THE LIKE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 73.91 ACRES, MORE OR LESS” (Conditional Use No. 2228) filed on behalf of M. L. Joseph Heirs Farm Account, LLC, with the following conditions:

- a. There shall be no more than 304 camping and RV sites and no more than 46 cabins within the campground.
- b. All entrance and roadway improvements and any other DeIDOT requirements shall be completed as required by DeIDOT.
- c. The campground shall be connected to the Town of Georgetown’s central sewer system.
- d. The campground shall be connected to the Town of Georgetown’s water system for domestic use and fire protection.
- e. Stormwater management and sediment and erosion control facilities shall be constructed in accordance with applicable State and County requirements and maintained using Best Management Practices. The Final Site Plan shall contain the approval of the Sussex Conservation District.
- f. The Development shall be surrounded by a 50-foot landscaped buffer.
- g. The campground shall remain vacant and no campers or RVs shall be stored on the campsites during the period that the campground is closed. This prohibition shall not include designated storage areas shown on the Final Site Plan, or the cabins, which may remain unoccupied in their respective locations.
- h. There shall be no accessory buildings located on individual campsites.
- i. Campground restrictions shall be submitted as part of the site plan review.
- j. All units to be used for the purpose of human habitation on campsites shall be tents, travel trailers, recreation vehicles and equipment manufactured specifically for camping purposes.
- k. The Developer shall plan the entrance design to accommodate a DART bus stop and turnabout in consultation and cooperation with DART.
- l. One sign not exceeding thirty-two (32) square feet per side with lighting shall be permitted at the entrances to Route 9 and Sand Hill Road. The lighting for the signs shall not shine on any neighboring properties or roadways.
- m. All lighting shall be downward screened so that it does not shine on neighboring communities or roadways.
- n. Any wetlands on the site shall be clearly marked to avoid disturbance. The location and type of these markers shall be shown on the Final Site Plan.
- o. The Applicant shall identify all “dwellings” in the vicinity of the property that require a 400 foot buffer pursuant to Section 115-172H(3) of the Sussex County Code. All campsites and cabins shall be a minimum of 400 feet from any dwelling that exists at the time of Final Site Plan approval.

**M 470 20
Adopt
Ordinance
No. 2755/
CU 2228
(continued)**

- p. All campsites must be 2000 square feet in size and at least 40 feet wide.**
- q. No cabin or campsite shall have direct access to any road outside of the boundaries of the campground. Access to the campground shall be gated and restricted so that the only access shall be from the established entrance points.**
- r. There shall be no sales of campsites or camping units, including park models, RVs, travel trailers or cabins.**
- s. The campground shall comply with all of the requirements of Section 115-172H.**
- t. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

A Motion was made by Mr. Wilson, seconded by Mr. Rieley, to adjourn at 3:14 p.m.

**M 471 20
Adjourn**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Respectfully submitted,

**Robin A. Griffith
Clerk of the Council**

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

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



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.

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

CC: Everett Moore, County Attorney

Date: November 24, 2020

RE: County Council Report for CU 2237 Samuel C. Warrington II

The Planning and Zoning Department received an application (CU 2237 filed on behalf of Samuel C. Warrington II) for a Conditional Use for parcel 334-12.00-55.01 (portion of) to allow for outdoor RV and boat storage. The parcel is zoned AR-1 Agricultural Residential Zoning District. The parcel size is 2.5 acres, more or less.

The Planning and Zoning Commission held a public hearing in relation to the Conditional Use application on September 24, 2020. At the meeting of October 8, 2020, the Commission discussed the application and deferred consideration of the application. At the meeting of October 22, 2020, the Commission recommended approval of the application for the 7 reasons and subject to the 14 recommended conditions outlined within the motion (included below).

County Council held a Public Hearing on the application at their meeting of October 27, 2020. At that meeting Council held the record open until the end of business on November 9, 2020 for the submission of any additional written comments. The additional written comments received were reported to County Council on November 10, 2020. County Council then closed the public record and deferred the application for further consideration.

Below are the approved minutes from the Planning & Zoning Commission meetings of September 24, 2020 and October 8, 2020 and the draft minutes of the September 22, 2020 Planning & Zoning Commission meeting.

Approved Minutes of the September 24, 2020 Planning & Zoning Commission Meeting

C/U 2237 Samuel C. Warrington II

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



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

AGRICULTURAL RESIDENTIAL DISTRICT FOR OUTDOOR RV AND BOAT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.5 ACRES MORE OR LESS. The property is lying on the southeast side of Postal Lane, approximately 0.38 mile southwest of Coastal Highway (Route 1). 911 Address: 34378 Postal Lane, Lewes. Tax Parcel: 334-12.00-55.01 (portion of).

Mr. Whitehouse advised the Commission that submitted into the record is a site plan, a staff analysis, a copy of the DelDOT service level evaluation response, and comments from the Sussex County Engineering Department Utility Planning Division. Mr. Whitehouse noted that 90 letters of opposition have been submitted to the Planning and Zoning Department.

The Commission found that Mr. Tim Willard, Esquire was present on behalf of the applicant, Samuel C. Warrington, II, that also present are Sam Warrington, II and Sam Warrington, III; that the Warrington family have owned this property since 1914; that the Applicant and his son live on Postal Lane; that tourism is a big part of Sussex County which is encouraged and that includes boating; that the conditional use for boat storage will support and encourage that use in an area where it is needed and that it is an appropriate use for this property; that the Sussex County Comprehensive Plan states that the eastern portion of Sussex County is characterized by popular ocean side seasonal vacation towns; that Sussex County is a draw for seasonal visitors and tourism has become an indispensable part of the local economy; that the Future Land Use Plan encourages tourism; that in 2015 tourism spent 1.8 billion dollars; that the tourism sector employs over 19,000 individuals; that the Future Land Use Plan also encourages recreation, the county is famous for beaches, boat launches with access to the ocean and inland bays; that the property is identified as being in the Coastal Area which is a growth area and allows for light commercial; that the property is surrounded by MR and HR which are high density and medium density; that there are several conditional uses in the area; that this use would not generate a lot of traffic as people would come periodically to pick up or drop off their RVs or boats; that it would be consistent with the land use for the area based on the surrounding uses; that the use would be on 2.5 acres of a 40-acre property; that the entrance to the storage area would be on Postal Lane adjacent to Sam Warrington III residence; that the Applicant has submitted proposed findings and conditions; and that for all the reasons stated this is an appropriate use as it will not adversely affect the neighborhood and is semi-public in nature as it supports tourism in the area.

Mr. Samuel C. Warrington, III confirmed that the statements made by Mr. Willard were true and correct and that he would be managing the RV and Boat storage if it gets approval.

Ms. Stevenson asked about the type of lighting. Mr. Willard stated that the lighting will be inward facing and for security purposes only.

Ms. Wingate asked Mr. Willard to elaborate on the type of landscaping that will be used. Mr. Willard stated that there will be fencing; that the landscaping will be outside the fence around the perimeter of the storage area and will be a buffer from neighboring properties.

Mr. Mears asked if the boat storage would be only for seasonal use. Mr. Willard stated that it may also be used by weekend boaters, but the Applicant does not anticipate people coming on a day to day basis to drop off or pick up their boats.

Mr. Wheatley asked if the Applicant would be offering shrink wrap services, fuel sales, accessory sales, or boat engine service. Mr. Willard stated there will be no fuel sales, accessory sales or engine service on the property.

The Commission found that no one spoke in favor of and two people spoke in opposition to the Application.

Mr. Ron Scala spoke on behalf of the 146 homeowners in Heritage Village. Mr. Scala stated the Heritage Village is located on the south side of Postal Lane and are adjacent to the subject property; that the community of Sandy Brae lies on the northside of Postal Lane for a total of over 400 homes making Postal Lane a heavily traveled road; that the request for RV and Boat storage will greatly increase the large vehicle traffic for the area; that it will pose many safety and environmental concerns for the residents; that there were over 90 requests to deny the Application; that the residents of Heritage Village feel that this location is not appropriate for this use; that there are no sidewalks in this area; that the Commission previously denied an application for 14 townhomes citing a heavily traveled road and it would not support health, safety, convenience and general welfare of the neighborhood and County; and that for all these reasons the residents of Heritage Village are opposed to this request.

Mr. John Luzzi spoke on behalf of the residents of Sandy Brae. Mr. Luzzi stated that the residents of Sandy Brae are requesting that the Commission deny the Application for safety reasons and that a commercial use on Postal Lane is not in keeping with the residential character of the area; that there are school bus stops on Postal Lane; entrances to single-family homes; that traffic cuts through Sandy Brae trying to avoid Postal Lane causing confusion and more safety issues; and that having commercial use in the area will affect property values.

Ms. Wingate asked who owns the roads within Sandy Brae. Mr. Luzzi responded that they are County roads.

Ms. Joy Greevy spoke by teleconference. Ms. Greevy stated that she agreed with the previous speakers and has further safety concerns about vehicles using Bethpage Drive to turn around.

Upon there being no further questions or comments, Chairman Wheatley closed the public hearing for this application.

At the conclusion of the Public Hearings, the Commission discussed C/U 2237 Samuel C. Warrington, II. Motion by Ms. Stevenson, second by Mr. Mears, to defer action for further consideration. Motion carried 5-0.

Approved Minutes of the October 8, 2020 Planning & Zoning Commission Meeting

The Commission discussed this application which has been deferred since September 24, 2020.

Ms. Stevenson said that she has concerns about this project because of traffic and safe access to the site by large vehicles.

Ms. Wingate stated that this property has been farmed for several years and tractors and trailers have accessed the site and that they are similar size to trucks towing boats.

Mr. Mears stated that boat or RV traffic should not be frequent as this location would be mostly used as an off-season storage; that it is a large parcel with only approximately 3 acres for this requested use; and that farmers need to be able to supplement their undependable income in other ways. Mr. Mears also noted that the Applicant's plan is to put the storage area next to the adjacent golf course and away from residential properties; that the Applicant is offering a buffer of trees in addition to the fencing; and that the traffic is a DelDOT issue.

Mr. Wheatley stated that his concerns are about the traffic entering and exiting the subject property.

Mr. Hopkins stated that he expects that traffic would make a right in, right out and the he expects that DelDOT may require a deceleration lane and an acceleration lane.

Mr. Robertson stated that DelDOT will mandate the necessary right-of-way from the Applicant and when DelDOT looks at this Application, they may deem economically infeasible to meet the requirements for a commercial venture.

Ms. Stevenson stated that if the entire property was to be developed in the future, there could be a much higher impact to traffic in this area.

Mr. Wheatley reminded the Commission members that this is a recommendation with conditions to County Council and the conditions could note traffic concerns to be addressed by DelDOT at the appropriate time and in a way that keeps citizens safe.

Motion by Ms. Stevenson, second by Mr. Mears, to defer action for further consideration. Motion carried 5-0.

Approved Minutes of October 22, 2020 Planning & Zoning Commission Meeting

The Commission discussed this application which has been deferred since October 8, 2020.

Mr. Mears moved that the Planning & Zoning Commission recommend approval of Conditional Use #2237 for Samuel C. Warrington for an outdoor RV and boat storage facility within the AR-1 District based upon the record made during the public hearing and for the following reasons:

1. The Applicant seeks approval for an RV and boat storage facility on approximately 2.5 acres of a much larger 40-acre tract owned by the Applicant and his family. This is one of the last

undeveloped tracts in the area between Plantations Road and Route One, and some type of appropriate development is to be expected at this location.

2. The area of the proposed use is located on the front section of the larger property and it is oriented away from the nearby adjacent residential units.
3. There is a need for the use proposed by the Applicant in this area of Sussex County.
4. This use is limited in nature and will not involve any new buildings. It is an appropriate transition from the heavier commercial uses that exist within the Route One commercial corridor.
5. The project, with the conditions and stipulations imposed upon it, will not have an adverse impact upon the neighboring properties or community.
6. The use as a boat storage facility is of a public or semi-public character and is desirable for the general convenience and welfare of residents in this area of Sussex County.
7. While there were concerns about traffic and the size of vehicles and trailers leaving the premises, I believe that this type of use will generate less daily traffic than nearly any other type of development that could occur on this property. DelDOT will also require the Applicant to make roadway improvements that will enable the safe entrance and exit from this use onto Postal Lane.
8. This recommendation for approval is subject to the following conditions and stipulations:
 - A. The use shall be limited to the storage of boats and RVs. No other storage of vehicles or equipment shall occur on the site.
 - B. The facility shall only be accessible during daylight hours, and the access gate shall be locked to prevent after-hours access to the site.
 - C. The perimeter of the site shall be fenced with a 6-foot high fence that screens the property from neighboring and adjacent properties and roadways.
 - D. There shall be a landscaping buffer between the outside of the fence and Bethpage Drive to screen the use and the fence from Bethpage Drive and the adjacent golf course. The Final Site Plan for this use shall include a landscaping plan for this buffer area.
 - E. No maintenance of boats or RVs shall occur on the site.
 - F. All security lighting shall be shielded and downward screened so that it does not shine on neighboring properties or roadways.
 - G. No more than 60 boats and RVs shall be permitted on the site.
 - H. The storage area shall be covered with a pervious stabilizing material. The location and type of this material shall be shown on the final site plan.
 - I. The use shall be subject to all DelDOT requirements regarding the entrance and roadway improvements necessary to provide access to the site. It is anticipated that DelDOT will require sufficient right-of-way dedication from the Applicant to accommodate the entrance.
 - J. The entrance drive from Postal Lane to this site shall have a paved width of at least 24 feet to accommodate vehicles with boat trailers and RVs and to allow sufficient space for such vehicles to safely wait to exit the premises onto Postal Lane.
 - K. No hazardous materials or fuel shall be stored on the property.
 - L. One lighted sign shall be permitted on the site. It shall not exceed 32 square feet in size.

- M. No sales shall occur on the site.
- N. The final site plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

Motion by Mr. Mears, seconded by Mr. Hopkins to recommend approval for the reasons and with the conditions stated in the Motion. Motion carried 3-1 with Ms. Hoey Stevenson dissenting.

PLANNING & ZONING COMMISSION

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



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MTRPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: September 24, 2020

Application: CU 2236 Sam C. Warrington II

Applicant/Owner: Sam Warrington II
34378 Postal Lane
Lewes, DE 19958

Site Location: On the southeast side Postal Lane (S.C.R. 238), approximately 0.38 mile southwest of the intersection of Coastal Highway (Route 1) and Postal Lane (S.C.R. 238)

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: RV & Boat Storage

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Septic

Water: Private

Site Area: 2.5 Acres

Tax Map ID.: 334-12.00-55.01 (Portion of)



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



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Chase Phillips, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: September 1, 2020
RE: Staff Analysis for CU 2237 Samuel C. Warrington II

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2237 Samuel C. Warrington II to be reviewed during the September 24, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 334-12.00-55.01 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District for outdoor boat and RV storage. The parcel is located on the southeast side of Postal Lane in Lewes, Delaware. The size of the property is approximately 40 acres +/-, and approximately 2.5 acres is proposed to be allocated towards the boat and RV storage use.

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 Coastal Area designation. The adjacent properties in each direction are also a part of the Coastal Area.

The Coastal Area is designated to encourage growth and development without diminishing special ecological and environmental characteristics. The Coastal Area may include various types of housing, small-scale retail and office, light commercial, and institutional land uses. Sussex County's base density of two (2) units per acre is typically standard. Medium and higher densities (4-12 units per acre may be appropriate in selection locations.

This parcel is within an Agricultural Residential (AR-1) Zoning District. The adjacent parcels to the north and west and southwest are also zoned Agricultural Residential (AR-1). The adjacent parcel to the northeast is zoned Medium Density Residential (MR). The parcel to the south is zoned High Density Residential (HR-1).

Since 2011, there have been seven (7) Conditional Use applications in a one-mile radius. Conditional Use 2209, to allow for a 14-unit multifamily development, was denied by County Council on July 28, 2020. Conditional Use 2153, to allow for a real estate and investing office, was approved by County Council on February 5, 2019 and adopted through Ordinance No. 2630. Conditional Use 2073, to allow for an expansion of an existing electrical substation, was approved by County Council on March 7, 2017 and adopted through Ordinance No. 2486. Conditional Use 2059, to allow for a beauty salon, was approved by County Council on October 25, 2016 and adopted through Ordinance No. 2478. Conditional Use 2016, to allow for an elementary school,



was approved by County Council on June 16, 2015 and adopted through Ordinance No. 2402. Conditional Use 2015, to allow for a public service facility, was approved by County Council on June 16, 2015 and adopted through Ordinance No. 2401. Conditional Use 1938, to allow for a therapist's office, was approved by County Council on September 11, 2012 and adopted through Ordinance No. 2289.

Land use and zoning have been analyzed for both this subject site and other nearby properties. A Conditional Use to allow for the outdoor storage of boats and RVs, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



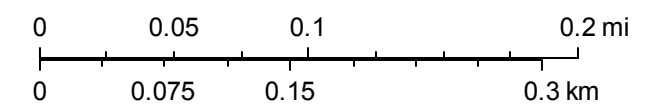
Sussex County



PIN:	334-12.00-55.01
Owner Name	WARRINGTON SAMUEL C II
Book	3350
Mailing Address	34378 POSTAL LN
City	LEWES
State	DE
Description	SE/RD 283
Description 2	1597' SW/RT 1
Description 3	
Land Code	

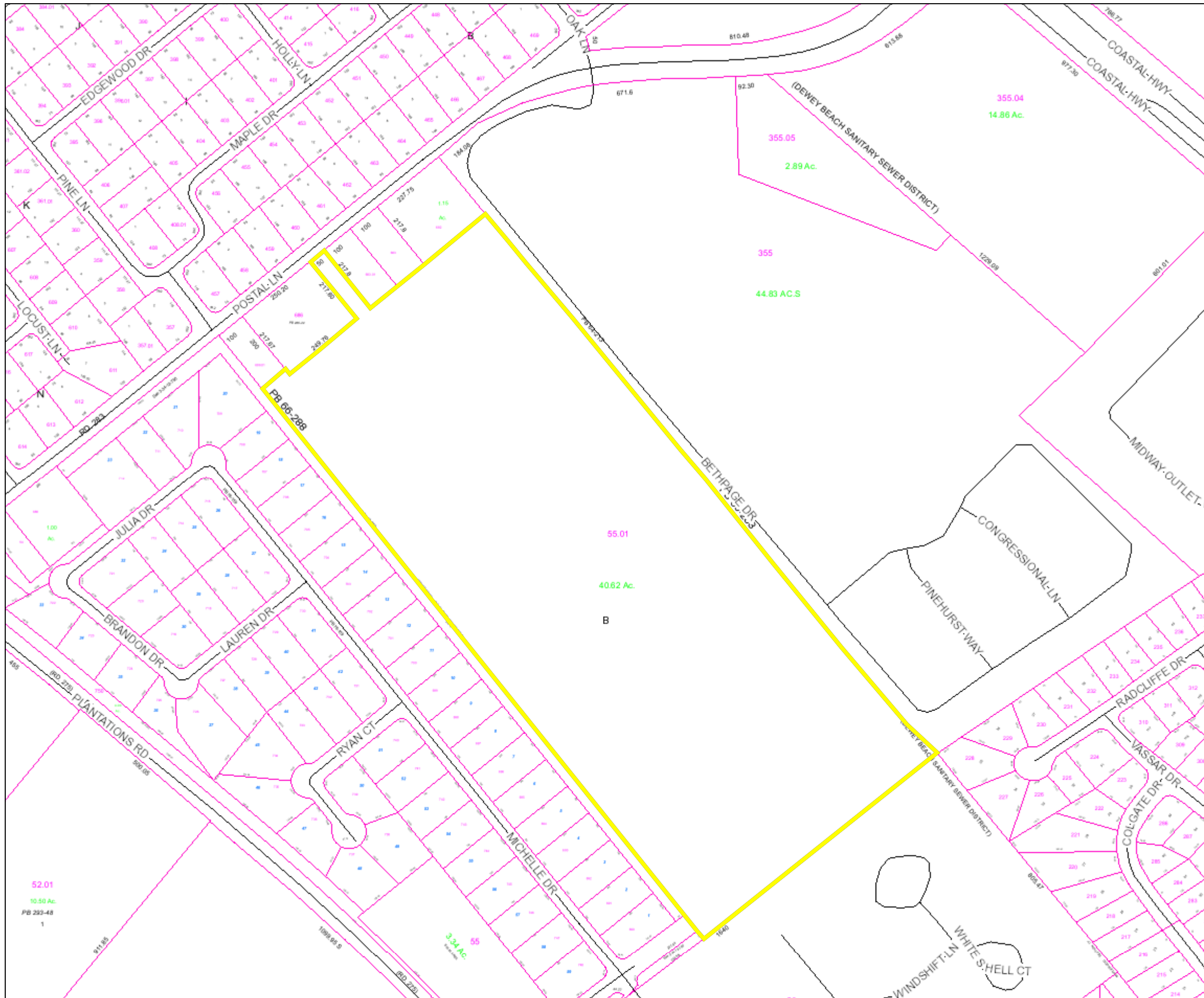
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- Override 1
- Tax Parcels
- Streets
- County Boundaries
- Municipal Boundaries

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Sussex County



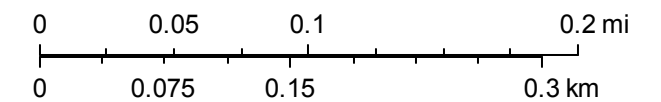
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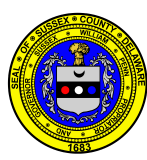
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- polygonLayer**

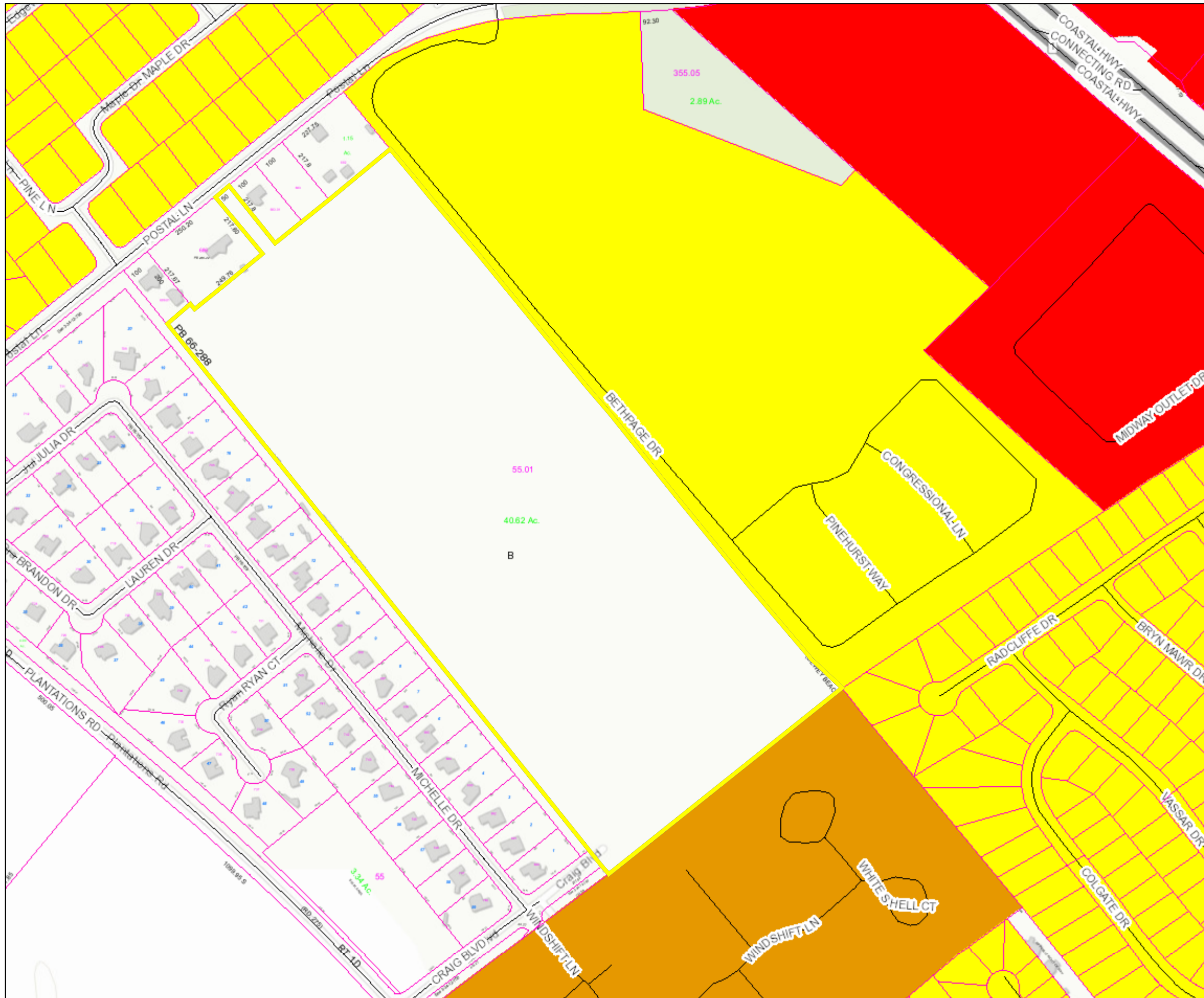
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- Streets
- County Boundaries
- Municipal Boundaries

1:4,514





Sussex County



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polygonLayer

Override 1

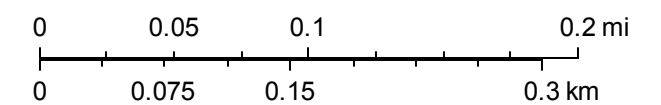
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Override 1

Tax Parcels

Streets

1:4,514



Introduced 8/25/20

**Council District 3 - Burton
Tax I.D. No. 334-12.00-55.01 (Portion of)
911 Address: None Available**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR OUTDOOR RV AND BOAT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.5 ACRES, MORE OR LESS

WHEREAS, on the 17th day of July 2020, a conditional use application, denominated Conditional Use No. 2237 was filed on behalf of Sam C. Warrington II; and

WHEREAS, on the ____ day of _____ 2020, 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. 2237 be _____; and

WHEREAS, on the ____ day of _____ 2020, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2237 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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the southeast side of Postal Lane, approximately 0.38 mile southwest of Coastal Highway (Route 1), and being more particularly described in the attached legal description prepared by Atlantic Surveying & Mapping, LLC, said parcel containing 2.5 acres, more or less.

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

Proposed Blackwater Village Area
of the Sussex County Unified Sanitary Sewer District
FACT SHEET

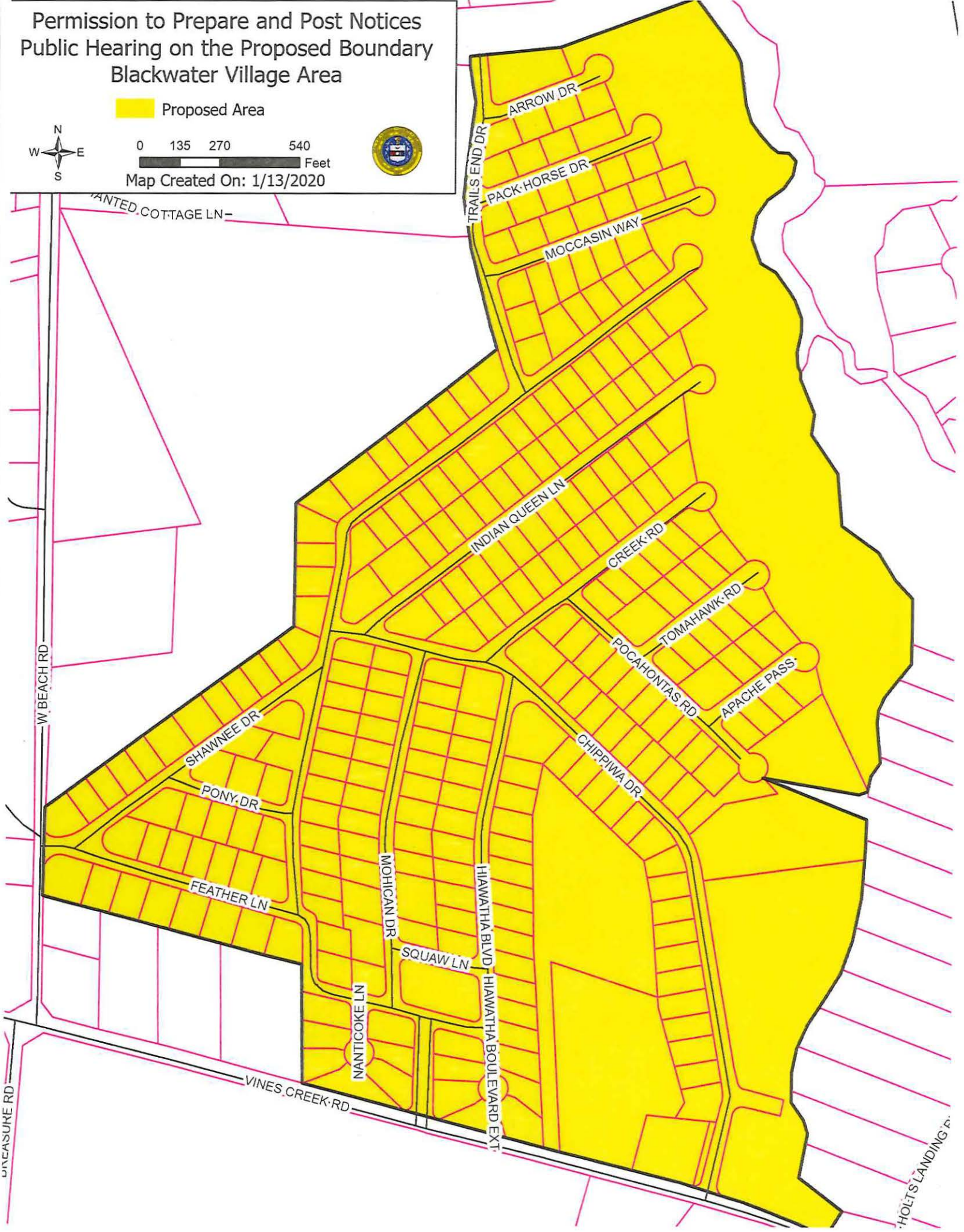
- Permission to Post for a Public Hearing on the boundary granted on January 14, 2020.
 - The Engineering Department scheduled a Public Hearing for on March 13, 2020 with the community. That meeting based on the Governor's executive order had to be cancelled at the last minute.
 - Second Public Hearing was scheduled, advertised and notices sent to all property owners. This public hearing was held on October 31, 2020 in County Council chambers and also done by live-stream broadcast.
 - The boundary, county rate structure and estimated costs were presented.
 - Deadline for requests to revise the boundary were set for November 9, 2020.
 - No requests were received.
 - The Engineering Department would like to present the proposed boundary to Council as our recommended Final Boundary
 - We would request that Council vote on a Resolution establishing this as the Blackwater Village Area of the Sussex County Unified Sanitary Sewer District boundary to take to a referendum.
-

Permission to Prepare and Post Notices Public Hearing on the Proposed Boundary Blackwater Village Area

 Proposed Area



0 135 270 540 Feet
Map Created On: 1/13/2020



RESOLUTION NO. _____

**BOUNDARIES FOR THE PROPOSED BLACKWATER VILLAGE AREA OF THE
SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT**

WHEREAS, petitions were received from more than 50 legal voters of the proposed Blackwater Village Area of the Sussex County Unified Sanitary Sewer District requesting the Sussex County Council to submit the question of organizing a sanitary sewer district to a vote of electors residing in that area; the description is below and a map of the proposed boundary is attached as **Exhibit "A"**; and

WHEREAS, a public hearing was held on **October 31, 2020** on the question of organizing a sanitary sewer district dealing with the location of the boundaries of the proposed Blackwater Village Area of the Sussex County Unified Sanitary Sewer District as shown in Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Council that the establishment of a sanitary sewer district is deemed to be in the public interest and will be conducive to the preservation of the public health; and

BE IT FURTHER RESOLVED that the area shown as **Exhibit "A"** is hereby established as the "Proposed Blackwater Village Area of the Sussex County Unified Sanitary Sewer District " and is more fully described as follows:

Beginning at a point, said point being on the northerly Right-of-Way (ROW) of State Route 26, said point also being the southwesterly property corner of lands Now-or-Formerly (N/F) of Roland John Hoffman Trustee & Mary Ann Hoffman, Trustee, said point further being the southeasternmost property corner of lands N/F of Keith Properties, Inc.; thence proceeding by and with said ROW in a westerly direction a distance of 1,851'± to a point, said point being the westernmost property corner of lands N/F of LSF8 Master Participation Trust, said point further being a property corner of Black Water Village, a subdivision; thence leaving said ROW and proceeding by and with said subdivision lands in a northerly and westerly direction a distance of 1,311'± to a point, said point being on the easterly ROW of County Road (CR) 345; thence proceeding by and with said ROW and continuing with said subdivision boundary in a northerly direction a distance of 304'± to a point; thence leaving said ROW and continuing by and with said subdivision boundary in a northeasterly, northerly, northeasterly, northwesterly, northeasterly direction respectively a distance of 3,307'± to a point, said point being the southernmost property corner of lands N/F of Denise Hoeksema & Cheryl Rehrig; thence continuing with said subdivision boundary in a southerly and easterly direction respectively a distance of 3,932'± to a point, said point being the easternmost property corner of land N/F of John F. & Carol A. Adams; thence leaving said subdivision lands and continuing with said Adams lands in a westerly direction a distance of 361'± to a point, said point being the northernmost property corner of lands N/F of Richard C & Juanita M. Seibert; thence leaving said Adams lands and continuing with said Seibert lands in a southeasterly and southerly direction a distance of 517'± to a point, said point being the northeasternmost property corner of lands N/F of Keith Properties, Inc., thence leaving said Seibert lands and continuing with said Keith lands in a generally southerly direction a distance of 1,439'± to a point, said point being the place of **Beginning**.

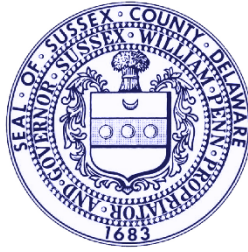
NOTE: The above description has been prepared using Sussex County Tax Map No. 134-11.00.

The proposed Blackwater Village Area of the Sussex County Unified Sanitary Sewer District is within these approximate boundaries containing 151 acres more or less.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware

ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718
AIRPORT & INDUSTRIAL PARK (302) 855-7774
ENVIRONMENTAL SERVICES (302) 855-7730
PUBLIC WORKS (302) 855-7703
RECORDS MANAGEMENT (302) 854-5033
UTILITY ENGINEERING (302) 855-7717
UTILITY PERMITS (302) 855-7719
UTILITY PLANNING (302) 855-1299
FAX (302) 855-7799



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.

FROM: Hans Medlarz, P.E., County Engineer

RE: *EMS 200/Medic 110 Station, Project C19-08*
A. The Whayland Company, LLC, Change Order No. 1

DATE: December 1, 2020

The new Medic 110/EMS 200 Station was programmed north of Seaford to replace the current location in Blades as a capital project in FYs 2019 & 2020. In June of 2018 Council approved the purchase of the new site formerly known as "Old Pet Emporium". After a publicly advertised request for proposal process, Council awarded the EMS Department's - Architectural Consulting Services base contract to George, Miles and Buhr, Inc. (GMB) for a five (5) year term on July 17, 2018. The first two task orders covered the North Seaford Medic Station 110 with a budget up to \$150,000. The intent was to match the Rehoboth/Lewes station design. However, the State's fire prevention code had changed since then, now requiring a fire suppression sprinkler system.

On June 6, 2019, Invitations to Bid were initially advertised and on July 15, 2019, four (4) bids were received. The station cost was significantly higher than the last station built with the main drivers being the on-site fire suppression system, the significant demolition effort and the DelDOT entrance & intersection signaling improvements. Therefore, Council rejected all bids on August 20, 2019 and authorized the rebid under a modified scope. At the same meeting Council also approved GMB's architectural task order no. 3 for rebidding, contract administration and inspection services not to exceed \$104,400.00.

Procurement of a standalone demolition contract had been identified as a cost saving measure and documents were publicly advertised on August 30, 2019. Council awarded the demolition contract to Swain Excavating, Inc. on October 8, 2019, in the amount of \$59,948.75. It was closed out on January 7, 2020 with Council approving a balancing Change Order No. 1 in the amount of \$2,200.00 and granting substantial project completion.



Furthermore, Council authorized negotiations with the City of Seaford regarding public utility services. Therefore, the EMS and Engineering Departments had reached out to the City to discuss the possibility of accelerating the extension of public water service to the site in exchange for a \$200,000 one-time capital contribution by the County. In addition to the accelerated capital improvement schedule, the County would receive in-City utility rates. On October 22, 2019 Council approved the Utility Service Agreement previously approved by Seaford City Council.

During the fall of 2019 the Team developed revised contract documents including a dedicated turn lane on Swain Road and an Opticom controlled safety warning system on Route13. The Invitations to Bid were re-advertised in May of 2020 and on June 4, 2020, twelve (12) bids were received. County Council awarded the project on June 23, 2020 to The Whayland Company, LLC for the base bid and add alternate 3 covering the County's portion of the safety warning system in the overall amount of \$1,406,000.00.

The project is progressing on schedule with one weather related, non-compensatory time extension change order. Up to this point most minor construction scope differences have been resolved in the field without a change order. The exception being the request for inclusion of a cathedral ceiling in the kitchen/break room. As mentioned earlier in the memo the intent was to match the Lewes/Rehoboth station design by sharing the original design drawings. Unfortunately, the original Pennoni drawings show a cupola in the kitchen without vaulted ceiling. The GMB bid documents for bids 1 & 2 show that same non vaulted ceiling approach.

It appears, the vaulted ceiling was an undocumented modification to the Lewes/Rehoboth station which was not reflected in either the design or the as-builts documents. In order to accommodate that change for the vaulted ceiling/cupola seventeen trusses had to be chamfered. The Engineering Department obtained the original quote from the supplier Concord Truss dated before the bid as well as the final invoice received on October 29, 2020. The Whayland Company agreed to resolve all other identified scope discrepancies without compensation. Therefore, we recommend issuance of change order no.1 to The Whayland Company in the documented net difference of \$5,326.84 without general contractor mark-up or additional profit.



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **EMS 200/MEDIC 110 STATION**
2. Sussex County Project No. C19-08
3. Change Order No. 1
4. Date Change Order Initiated - 12/1/20
5.
 - a. Original Contract Sum \$1,407,250.00
 - b. Net Change by Previous Change Orders \$ 0
 - c. Contract Sum Prior to Change Order \$1,407,250.00
 - d. Requested Change \$5,326.84
 - e. Net Change (No. of days) 0
 - f. New Contract Amount \$1,412,576.84
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

1. Differing Site Conditions
2. Errors and Omissions in Construction Drawings and Specifications
3. Changes Instituted by Regulatory Requirements
4. Design Change
5. Overrun/Underrun in Quantity

- 6. Factors Affecting Time of Completion
- 7. Other (explain below):

C. BRIEF DESCRIPTION OF CHANGE ORDER:
Design changes to incorporate a vaulted ceiling.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?
Yes X No

E. APPROVALS

1. The Whayland Company, Contractor

Signature Date

Representative's Name in Block Letters

2. Sussex County Engineer
 11/25/2020
Signature Date

3. Sussex County Council President

Signature Date



Trusses LPI'S Plywood Beams
692 South Evergreen Ave.
Woodbury Heights, NJ 08097
Concordtruss.com

(856) 845-3848 (856) 845-0831 Fax

Quote / Contract

Price is good for 30 days
Trusses are not fire treated
Quotes are subject to revision due to design or material changes

Certified WTCA Quality Control Truss Plant

SALES REP	Joe Duca	dp	QUOTE #	90998Q
TERMS	50% Down 50%		QUOTE DATE	07/10/19
ORDER #			CUSTOMER PO #	

THE WHAYLAND COMPANY,
100 WEST 10th STREET
LAUREL, DE 19956
(302) 875-5445

22410 SUSSEX HIGHWAY
SEAFORD, DELAWARE,

JOB NAME: **NEW EMS 2000 ROOF**
MODEL: **MEDIC 110 STATION** BLOCK: LOT # SUBDIV:
DELIVERY INSTRUCTIONS:

SPECIAL NOTES:
24" SPACING

QTY	ITEM TYPE	SIZE	LENGTH FT-IN-16	NOTES
-----	-----------	------	--------------------	-------

100	HANGERS	H-10 A (Up780#)		
1	ROOF TRUSSES	ROOF TRUSSES-All		

PROFILE	QTY PLY	PITCH		TYPE ID	BASE SPAN	O/A SPAN	LUMBER		OVERHANG		CANTILEVER		STUB	
		TOP	BOT				TOP	BOT	LEFT	RIGHT	LEFT	RIGHT	LEFT	RIGHT
	2	6.00	0.00	HIP GIRDER H01	05-10-00	05-10-00	2 X 4	2 X 6	00-10-08	00-10-08				
	6	4.00	0.00	JACK-CLOSED J01	22-10-00	22-10-00	2 X 4	2 X 4	01-04-08					
	6	6.00	0.00	JACK-CLOSED J02	01-00-04	01-00-04	2 X 4	2 X 4	00-10-08					
	23	4.00	0.00	COMMON T01	60-00-00	60-00-00	2 X 6	2 X 6	01-04-08	01-04-08				
	2	4.00	0.00	GABLE T01GE	60-00-00	60-00-00	2 X 6	2 X 6	01-04-08	01-04-08				
	20	4.00	0.00	COMMON T02	52-00-00	52-00-00	2 X 6	2 X 6	01-04-08	01-04-08				
	1	4.00	0.00	GABLE T02GE	52-00-00	52-00-00	2 X 6	2 X 6	01-04-08	01-04-08				
	4	4.00	0.00	COMMON T03	16-00-00	16-00-00	2 X 6	2 X 6	01-04-08	01-04-08				
	1	4.00	0.00	GABLE T03GE	16-00-00	16-00-00	2 X 6	2 X 6	01-04-08	01-04-08				
	2 2 Ply	4.00	0.00	ROOF T04	52-00-00	52-00-00	2 X 6	2 X 8	01-04-08	01-04-08				
	2 2 Ply	0.00	0.00	ROOF T05	05-10-00	05-10-00	2 X 6	2 X 6						
	1	6.00	0.00	COMMON T06	05-10-00	05-10-00	2 X 4	2 X 4	00-10-08	00-10-08				

WE NEED THE FOLLOWING TO MAKE AN ORDER OR OBTAIN SEALED DRAWINGS

1. THIS CONTRACT SIGNED (Include all the sheets)
2. TRUSS PLACEMENT LAYOUT SIGNED
3. REQUESTED DELIVERY DATE: _____
4. JOBSITE DIRECTIONS
5. INITIAL DEPOSIT OF 50%; BALANCE DUE ON DELIVERY

Remarks: I hereby accept responsibility for this order as it appears on this contract.

Accepted By: _____ Date: _____

This contract is based on the National Standard and Recommended Guidelines on Responsibilities for Construction Using Metal Plate Connected Wood Trusses - ANSI / TPI 1-2014.

SUB-TOTAL	\$15,143.76
DELIVERY	
GRAND TOTAL	\$15,143.76

Conditions of Sales: 1) it is the buyer's responsibility to obtain all permits, approvals, etc. required. 2) Bracing material to be furnished by buyer. 3) Prices quoted are subject to design or material changes. 4) Revisions or cancellations cannot be accepted once production has started. 5) Accounts over thirty days old shall be subject to a service charge of 1.5% per month. Customer also agrees to pay reasonable attorney's fees and other costs incurred at collection. 6) All orders are subject to satisfactory credit approval.



INVOICE #90998J

Trusses LPI'S Plywood Beams
 692 South Evergreen Ave.
 Woodbury Heights, NJ 08097
 Concordtruss.com
 (856) 845-3848 (856) 845-0831 Fax

ORDER #	90998J
DATE OF INVOICE	10/27/20
CUSTOMER ACCT #	160745899
CUSTOMER PO #	51279
DATE DELIVERED	10/27/20
SALES REP	Joe Duca

JOB NAME: NEW EMS 2000 ROOF
MODEL: MEDIC 110 STATION
BLOCK:
LOT #:
SUBDIV:
NOTES: 24" SPACING
 Revised Quote 9.8.20

RECEIVED

OCT 29 2020

SOLD TO:

THE WHAYLAND COMPANY, LLC
 100 WEST 10th STREET
 LAUREL, DE 19956

ROOF TRUSSES

PROFILE	QTY	PITCH		TYPE ID	BASE SPAN	O/A SPAN	HEIGHT	LUMBER		OVERHANG		CANTILEVER		STUB	
		TOP	BOT					TOP	BOT	LEFT	RIGHT	LEFT	RIGHT	LEFT	RIGHT
	2	6.00	0.00	HIP GIRDER H01	05-10-00	05-10-00	01-03-05	2 X 4	2 X 6	00-10-08	00-10-08				
	6	4.00	12.00	JACK-CLOSED J01	22-10-00	22-10-00	08-07-05	2 X 4	2 X 4	01-04-08					
	6	6.00	0.00	JACK-CLOSED J02	01-00-04	01-00-04	01-03-05	2 X 4	2 X 4	00-10-08					
	23	4.00	0.00	COMMON T01	60-00-00	60-00-00	11-00-00	2 X 6	2 X 6	01-04-08	01-04-08				
	2	4.00	0.00	GABLE T01GE	60-00-00	60-00-00	10-05-08	2 X 6	2 X 6	01-04-08	01-04-08				
	13	4.00	0.00	COMMON T02	52-00-00	52-00-00	09-08-00	2 X 6	2 X 6	01-04-08	01-04-08				
	1	4.00	0.00	GABLE T02GE	52-00-00	52-00-00	09-01-08	2 X 6	2 X 6	01-04-08	01-04-08				
	4	4.00	0.00	COMMON T03	16-00-00	16-00-00	03-08-00	2 X 6	2 X 6	01-04-08	01-04-08				
	1	4.00	0.00	GABLE T03GE	16-00-00	16-00-00	03-01-08	2 X 6	2 X 6	01-04-08	01-04-08				
	2	2 Ply	0.00	ROOF T05	05-10-00	05-10-00	04-05-05	2 X 6	2 X 6						
	2	2 Ply	4.00	ROOF T07	52-00-00	52-00-00	09-08-00	2 X 6	2 X 6	01-04-08	01-04-08				
	6	4.00	12.00	ROOF T08	52-00-00	52-00-00	09-08-00	2 X 6	2 X 6	01-04-08	01-04-08				
	2	2 Ply	4.00	ROOF TGR	52-00-00	52-00-00	09-08-00	2 X 6	2 X 6	01-04-08	01-04-08				

ITEMS

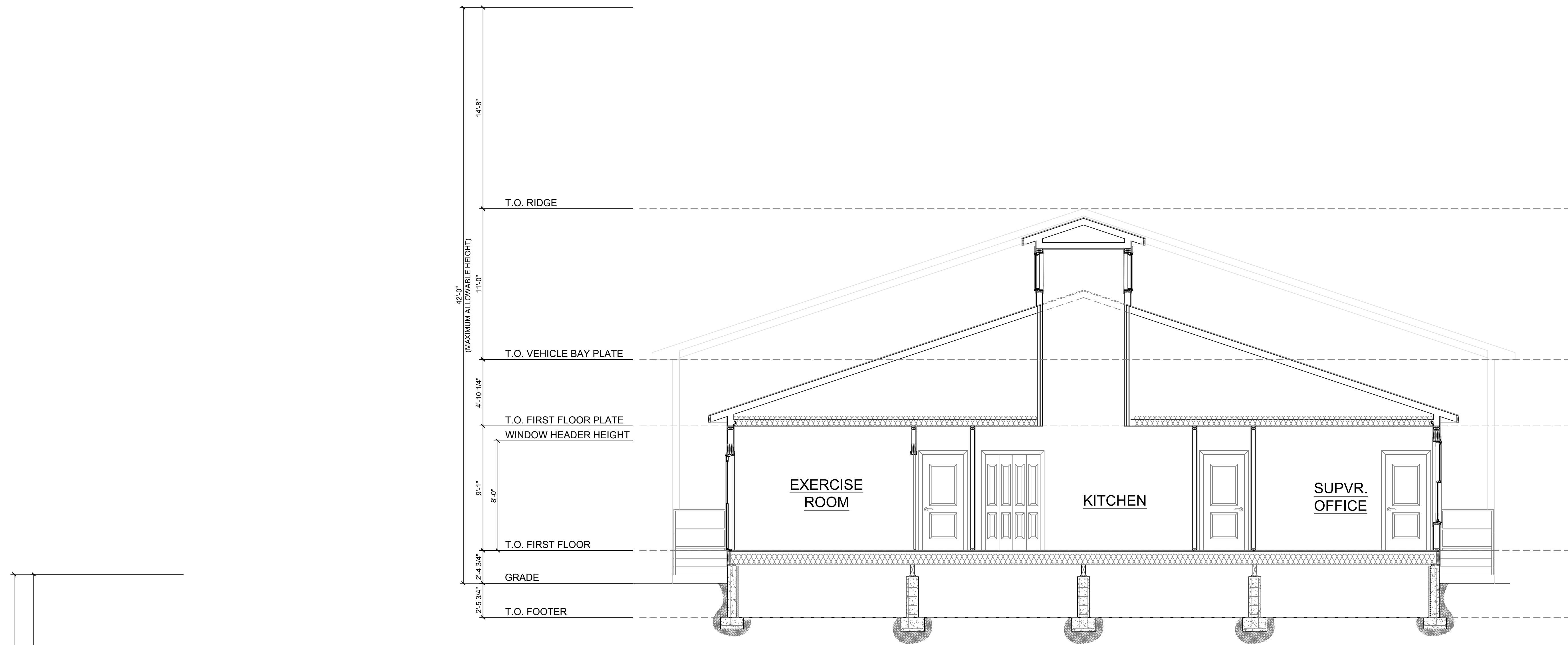
QTY	ITEM TYPE	SIZE	LENGTH FT-IN-16	NOTES
100	HANGERS	H-10 A (Up780#)		
4	HANGERS	HHUS26-2 (2-Ply)		
1	ROOF TRUSSES	ROOF TRUSSES-All		

TERMS OF SALE: 50% Down

IMPORTANT: PLEASE MAKE CHECKS PAYABLE TO "CONCORD TRUSS COMPANY" WITH THE CORRECT INVOICE NUMBER ON THE CHECK. THIS WILL ASSURE YOUR ACCOUNT IS CREDITED PROPERLY.

SUB-TOTAL	\$20,470.60
GRAND TOTAL	\$20,470.60

C:\Projects\10181014\Medic 104 EMS Station Building\Drawings\From Client\From Owner\SCED1502 A4.dwg
 PLOTTED: 01/08/17 2:04 AM BY: Lee K. Vinkey PROJECT STATUS:



1 SECTION A-A
SCALE: 1/4" = 1'-0"



2 SECTION B-B
SCALE: 1/4" = 1'-0"



PENNONI ASSOCIATES INC.
 18072 Davidson Drive
 Milton, DE 19868
 T 302.684.8030 F 302.684.8054

BRUCE J. MONETA, A.I.A. ARCHITECT

MEDIC 104 / EMS 100 FACILITY
 19255 PLANTATION ROAD
 REHOBOTH BEACH, DE. 19971
BUILDING SECTIONS

SUSSEX COUNTY EMERGENCY SERVICES
 P.O. BOX 589
 8 MULBERRY STREET, SUITE B
 GEORGETOWN, DE 19847

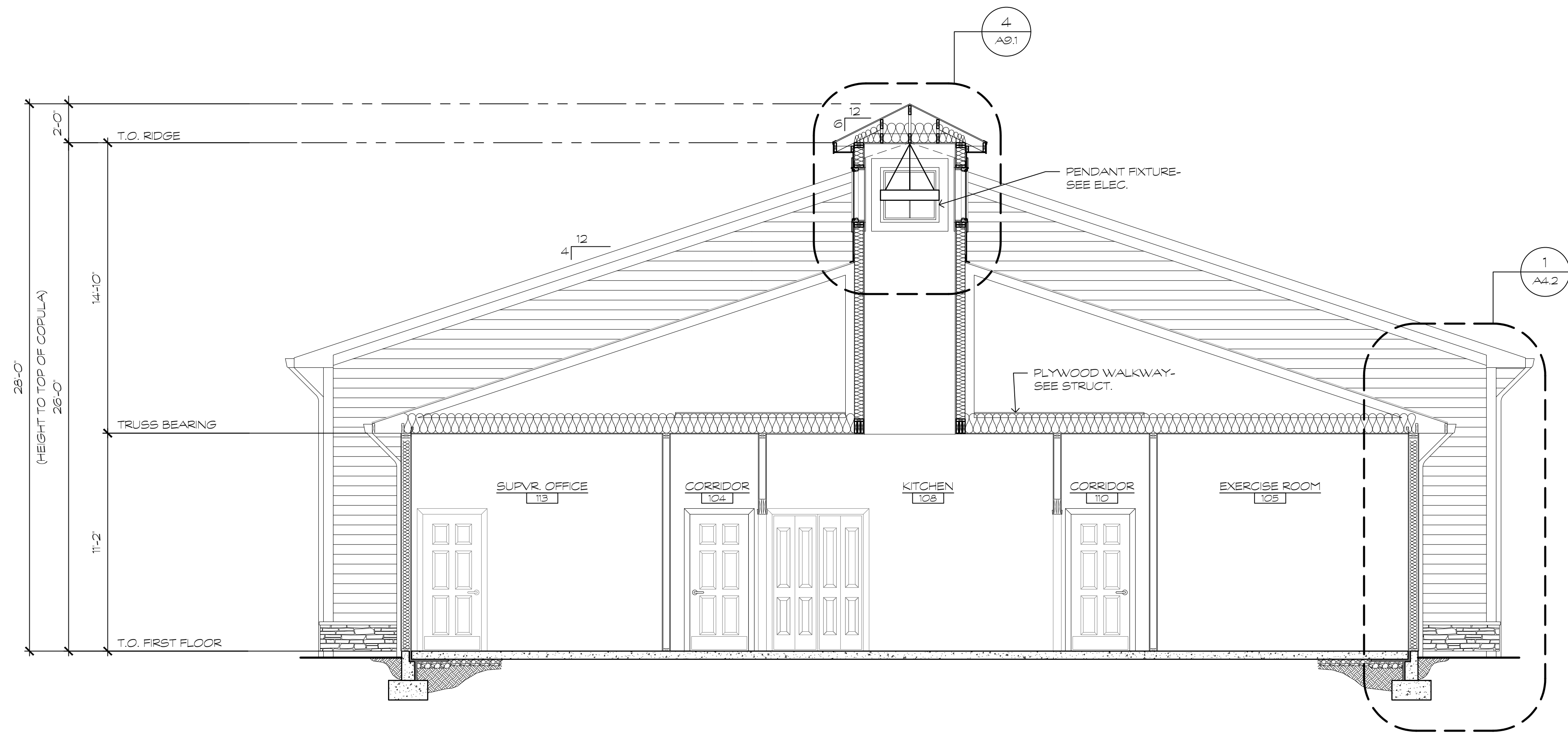
NO.	DATE	REVISIONS	BY
4	08-01-16	ADDED FLOOR FINISH SCHEDULE	MJ
3	07-11-16	ISSUED FOR PERMIT	MJ
2	07-05-16	BID SET	MJ
1	05-24-16	REVISED PER FIRE MARSHAL COMMENTS	MJ

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INDICATED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATE. AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

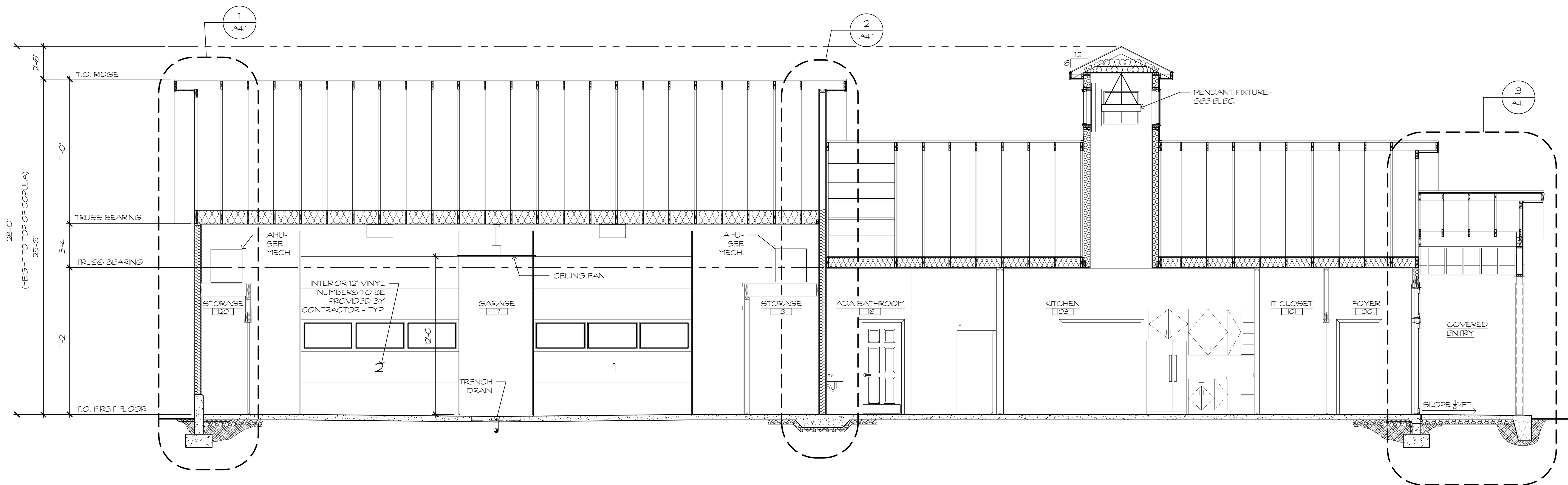
PROJECT	SCED1502
DATE	FEBRUARY 2015
DRAWING SCALE	
DRAWN BY	MBJ
APPROVED BY	BJM

A-8

g:\Projects\2018\180174-north seaford ems & medic station\Drawings\current drawings\A3.1 SECTIONS.dwg, 5/5/2020 2:32 PM, Lee K. Whaley



1 BUILDING SECTION
1/4" = 1'-0"



2 BUILDING SECTION
1/4" = 1'-0"

NO.	1
REVISION	ISSUED FOR BID
DATE	5-16-2020

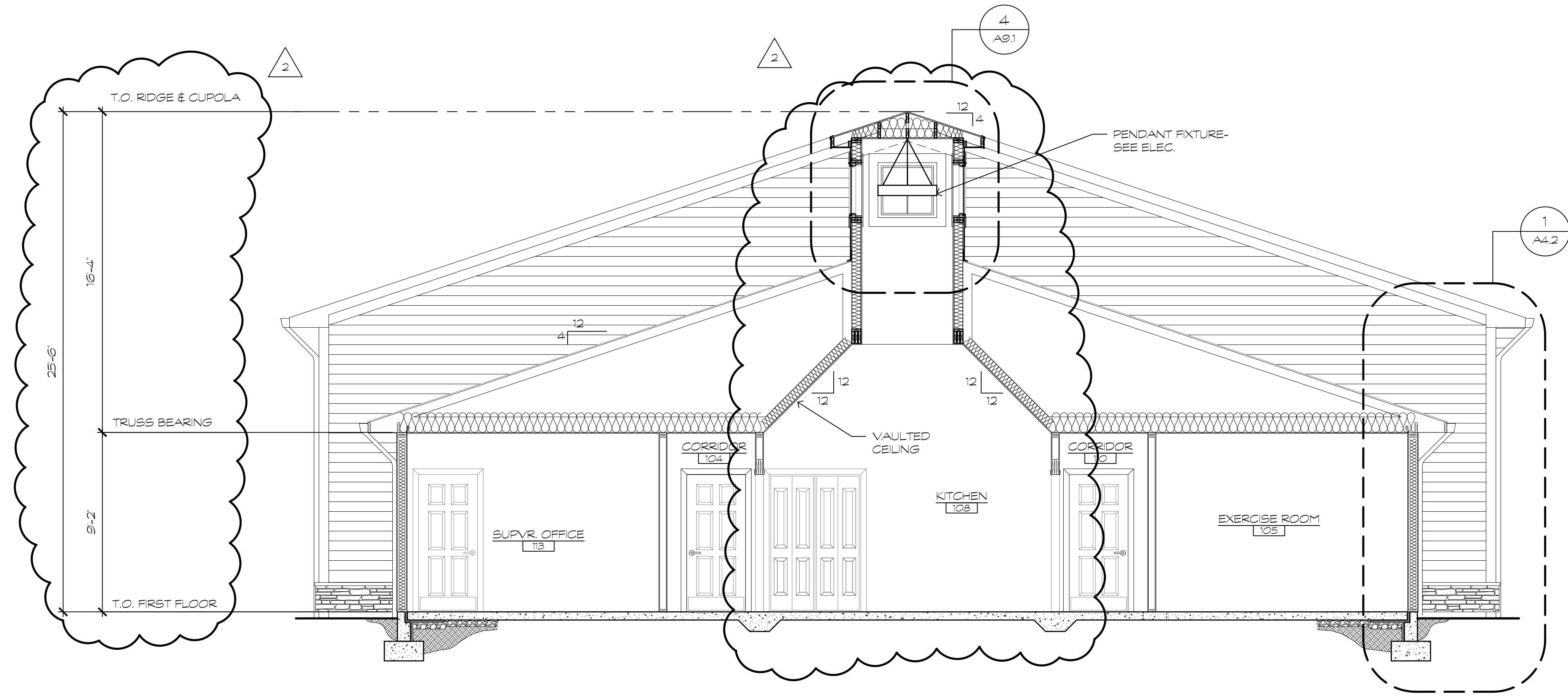
GMB
 GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SALISBURY • BALTIMORE • SEAFORD
 www.gmbnet.com

NEW CONSTRUCTION:
 EMS 200/ MEDIC 110
 STATION
 SEAFORD, DELAWARE

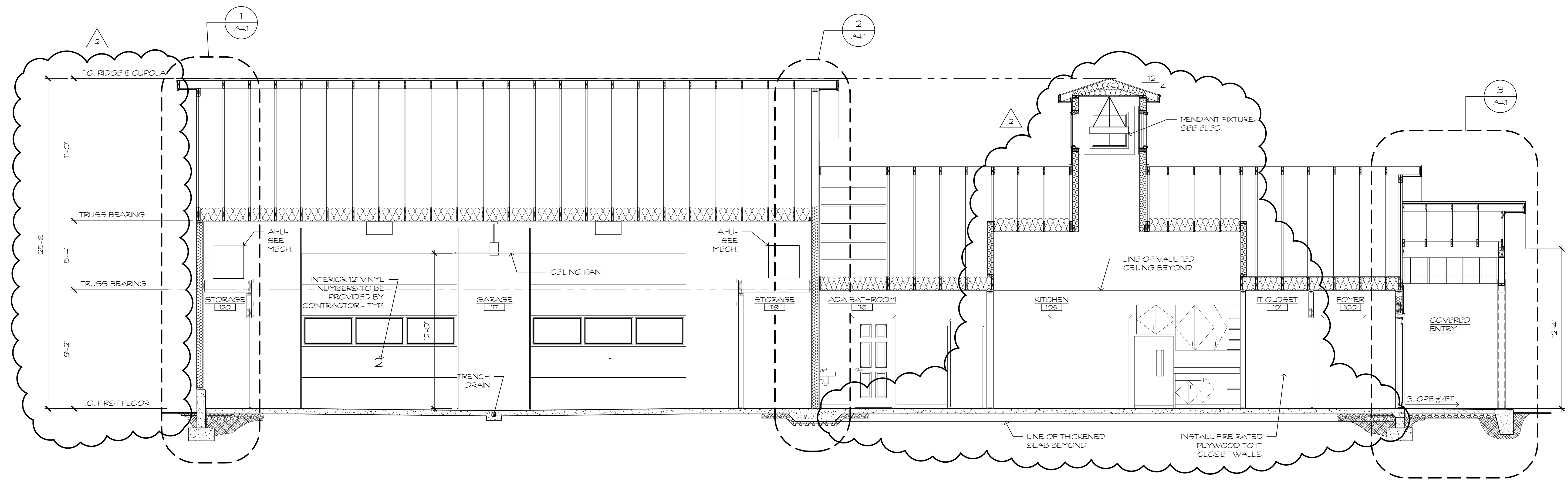
SECTIONS

SCALE	1/4" = 1'-0"
DESIGN BY	MHH
DRAWN BY	LKW, TDE
CHECKED BY	MHH
GMB FILE	180174-A
DATE	4-24-20

A3.1



1 BUILDING SECTION
1/4" = 1'-0"



2 BUILDING SECTION
1/4" = 1'-0"

NO.	REVISION	ISSUED FOR PER-YT	DATE
1			5-16-2020
2	FIELD CHANGE		9-3-2020

GMB
 GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SALISBURY • BALTIMORE • SEAFORD
 www.gmbnet.com

NEW CONSTRUCTION:
 EMS 200/ MEDIC 110
 STATION
 SEAFORD, DELAWARE

SECTIONS

SCALE	: AS NOTED
DESIGN BY	: MHH
DRAWN BY	: LKW, TDE
CHECKED BY	: MHH
GMB FILE	: 180174-A
DATE	: 8-27-20

A3.1

g:\Projects\2018\180174-a north seaford ems & medic station\Drawings\current drawings\A3.1 SECTIONS.dwg, 9/3/2020 9:14 AM, Lee K. Whaley

Wilson-OK



SUSSEX COUNTY GOVERNMENT
GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Georgetown Historical Society

PROJECT NAME: Barrel Barn renovation

FEDERAL TAX ID: 51-0255141 NON-PROFIT: YES NO

DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?
 YES NO *IF YES, FILL OUT SECTION 3B.

ORGANIZATION'S MISSION: To Preserve, Protect and Display to history of Georgetown, Sussex County and Delaware.

ADDRESS: 510 S Bedford St.

Georgetown De 19947
(CITY) (STATE) (ZIP)

CONTACT PERSON: Rosalie Walls

TITLE: Executive Board member

PHONE: 302-855-9660 EMAIL: marvelmuseum@gmail.com

TOTAL FUNDING REQUEST: \$21,000

Has your organization received other grant funds from Sussex County Government in the last year? YES NO

If YES, how much was received in the last 12 months? \$15,000

If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for? YES NO

Are you seeking other sources of funding other than Sussex County Council? YES NO

If YES, approximately what percentage of the project's funding does the Council grant represent? 59,000

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Fair Housing | <input type="checkbox"/> Health and Human Services | <input checked="" type="checkbox"/> Cultural |
| <input type="checkbox"/> Infrastructure ¹ | <input checked="" type="checkbox"/> Other Historical | <input checked="" type="checkbox"/> Educational |

BENEFICIARY CATEGORY

- | | | |
|---|--|-----------------------------------|
| <input type="checkbox"/> Disability & Special Needs | <input type="checkbox"/> Victims of Domestic Violence | <input type="checkbox"/> Homeless |
| <input type="checkbox"/> Elderly Persons | <input type="checkbox"/> Low to Moderate Income ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other Historical | |

BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:
198,000

SECTION 3: PROGRAM SCOPE

- A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

The historic barrel barn on the grounds of the museum is in desperate need of exterior shingle replacement because of water intrusion. This space is utilized by many organizations that do not have a permanent home for meetings.

B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

A faith-based nonprofit organization is eligible to receive and apply for a grant on the same basis as other nonprofit organizations, with respect to programs which are eligible. In the selection of grantees, the County will not discriminate for or against an organization on the basis of the organization's religious characterization or affiliation. However, certain requests to utilize funding for programs with religious purposes may not be eligible due to constitutional principles of the United States and/or the State of Delaware.

Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	10,000.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
renovations	-\$ 31,000.00
TOTAL EXPENDITURES	-\$ 31,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 21,000.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Georgetown Historical Society agrees that:
(Name of Organization)

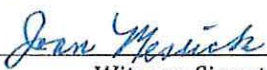
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
- 2) For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before the funding is released.
- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

SECTION 5: STATEMENT OF ASSURANCES (continued)

- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom of Information Act of the State of Delaware.
- 7) All funding will be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious purposes.
- 8) **In the event that the awarded funding is used in violation of the requirements of this grant, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.**


Applicant/Authorized Official Signature

10/29/2020
Date


Witness Signature

10/29/2020
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government
Attention: Gina Jennings
PO Box 589
Georgetown, DE 19947

Wilson-OK

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM
GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING

The Sussex County Council makes available a limited amount of funding to non-profit organizations that serve the citizens of Sussex County. Each application for funding shall be evaluated by Sussex County administrative staff and shall be subject to final approval from Sussex County Council.

In the attached application, each organization must outline its intended uses for the awarded funding and provide a detailed breakdown of the expenses and costs for such uses. Any funding awarded to the organization must be used in substantial conformity with anticipated expenditures of the submitted application.

All expenditures must have adequate documentation and must be expended within one (1) year of award of funds.

For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County Council award.

Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.

Rosalie B. Wells
Applicant/Authorized Official Signature

Joan Messiak
Witness Signature

Board Member
Title

10/29/2020
Date

Nancy Cordrey *Rieley-OK*

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Thursday, November 12, 2020 2:22 PM
To: Nancy Cordrey
Subject: Form submission from: Council Grant Form

Council Grant Form

Legal Name of Agency/Organization	Bethany Beach Fenwick Island Area Chamber of Commerce
Project Name	Shop, Savor Stay & Splurge
Federal Tax ID	51-0203227 <i>ok</i>
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 Chamber's mission is to develop and implement destination events, participate in advocacy efforts, and provide opportunities for networking, marketing, and education with a goal of improving member success and enhance the quality of life throughout the Quiet Resorts.
Address	36913 Coastal Hwy
Address 2	
City	Fenwick Island
State	DE

Zip Code	19944
Contact Person	Lauren Weaver
Contact Title	Executive Director
Contact Phone Number	302-539-2100 (Ext. 118)
Contact Email Address	lauren@bethany-fenwick.org
Total Funding Request	1,500
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?	1000
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?	35
Program Category (choose all that apply)	Cultural, Other
Program Category Other	Shop Local Initiative

Primary Beneficiary Category Other

Beneficiary Category Other Community

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program 5000

Scope On behalf of the Bethany-Fenwick Area Chamber of Commerce, we are writing to request financial support for the newly created Shop, Savor, Stay & Splurge- Shop Local Extravaganza to be held December 5, 12, & 19.

"Shop, Splurge, Savor & Stay for a chance to win a gift certificate or prize from your favorite local business or the Grand Prize of 1 of 3 \$500 gift cards *Sponsored by Sussex County's Sussex Strong Initiative*. Every purchase at a participating business over \$20 grants you one entry into that specific stores drawing on Monday, December 21st, and a chance at the grand prize drawing on Tuesday, December 22nd. Support the LOCAL BUSINESSES of the Quiet Resorts which includes businesses of Bethany Beach, Clarksville, Dagsboro, Fenwick Island, Frankford, Millville, Ocean View, Roxana, Selbyville, and South Bethany. "

The Chamber is requesting financial support of \$1,500 for grand prizes in support of the Chamber placing a promotion of a Shop Local initiative throughout the 10 towns we serve. The event with not be Chamber Member exclusive and open to all businesses who are willing to participate.

Religious Components

Please enter the current support your 0.00

organization receives
for this project (not
entire organization
revenue if not
applicable to request)

Description Personnel

Amount 1,000.00

Description Radio & Advertising

Amount 3,500.00

Description Operating Costs

Amount 1,500.00

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

TOTAL EXPENDITURES	6,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-6,000.00
Name of Organization	Bethany-Fenwick Area Chamber of Commerce
Applicant/Authorized Official	Lauren Weaver
Date	11/12/2020
Affidavit Acknowledgement	Yes

[Mark as Spam in D3 Forms](#). Please do not mark as spam in your email client, as it will result in you no longer receiving D3 Forms notifications. Feel free to email info@d3forms.com with any questions.

Nancy Cordrey Vincent-OK

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Friday, November 20, 2020 12:16 PM
To: Nancy Cordrey
Subject: Form submission from: Council Grant Form

Council Grant Form	
Legal Name of Agency/Organization	Laurel Historical Society, Inc.
Project Name	Exterior Preservation of Millhand House at Historic Hitchens Homestead
Federal Tax ID	510209785 OK
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 mission of the Laurel Historical Society is to preserve and interpret the cultural heritage of the Laurel community and to foster an appreciation of its historical significance through education and outreach.
Address	502 E Fourth Street
Address 2	
City	Laurel
State	DE

Zip Code	19956
Contact Person	George R. Denney, III
Contact Title	President
Contact Phone Number	302-745-1963
Contact Email Address	gdenney3@comcast.net
Total Funding Request	\$5,785.00
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?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	50
Program Category (choose all that apply)	Cultural
Program Category Other	

Primary Beneficiary Category	Other
Beneficiary Category Other	Citizens of Laurel and southwestern Sussex County consisting of a high density of citizens on the lower socioeconomic spectrum and served primarily by Title 1 schools.
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	10000
Scope	In 2018 the Laurel Historical Society (LHS) purchased a beautiful historic four acre property, referred to as the "Hitchens Homestead", located within the Laurel Historic District. Situated on the property, which overlooks Records Pond, is an 1878 iconic Rural Gothic Revival dwelling house and the original outbuildings which were constructed by Emanuel Twilley, owner of the pond and its grist mill, which was the largest in the state at that time. Also located on the premises is a miller's house built prior to 1868. The society's goal is to preserve and restore these historic treasures to reflect the period of the late 1800s when Laurel was in its heyday. Currently the LHS is trying to procure funding to scrape and paint the siding, windows and doors on the miller's house which is urgently in need of stabilization. This site will also serve as the eastern anchor of the "Ramble", Laurel's scenic public parklands which stretches one-half mile through the center of Laurel on both sides of Broad Creek. The LHS plans to utilize the Hitchens Homestead as a community centerpiece serving as a venue for all types of social, recreational, educational and cultural events with Laurel's fascinating history serving as a backdrop.
Religious Components	
Please enter the current support your	0.00

organization receives
for this project (not
entire organization
revenue if not
applicable to request)

Description Scraping & Painting the Exterior of the Miller's House

Amount 5,785.00

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

TOTAL 5,785.00
EXPENDITURES

TOTAL DEFICIT FOR -5,785.00
PROJECT OR
ORGANIZATION

Name of Organization Laurel Historical Society, Inc.

Applicant/Authorized George R. Denney, III
Official

Date 11/20/2020

Affidavit Yes
Acknowledgement

Mark as Spam in D3 Forms. Please do not mark as spam in your email client, as it will result in you no longer receiving D3 Forms notifications. Feel free to email info@d3forms.com with any questions.

Nancy Cordrey Hudson-OK

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Thursday, November 19, 2020 9:10 AM
To: Nancy Cordrey
Subject: Form submission from: Council Grant Form

Council Grant Form	
Legal Name of Agency/Organization	Police Unity Tour, INC. Chapter X
Project Name	Chapter 10
Federal Tax ID	80-0940011 OK
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 generous grant money will enable me to complete my fundraising and permit me to ride as a registered member cyclist/survivor of the Police Unity Tour while representing the Lewes PD and our fallen grand-father, Charles Wilson Futcher, Sr. who died in the line of duty in 1939. The money supports the cycling tour operation, logistics, provisions and accommodations. We ride approximately 300 miles protected by police motorcades from New Jersey to Washington, DC. The entire delegation (made of separate chapters and regions) comprises nearly 3000 cyclists in law enforcement and family of fallen from around the world. The highlight is arriving in Lewes/Sussex County, my hometown on 5/10/2020. More than half of the proceeds are dedicated to the National Law Enforcement Officer's Memorial Fund & Museum.

This program, while raising awareness for fallen men and women in law enforcement, provides me the opportunity to preserve community legacy, recognize our fallen grand-father Charles and all of law enforcement right here in my hometown and community. Additionally, my role and commitment to the Police Unity Tour is a show of gratitude towards law enforcement for their support and generosity in our family's journey of memorial dedications in Delaware and Washington, DC.

The costs of equipment, bicycle accessories, maintenance, gear and personal logistics are substantial and require year long planning, training and transportation. I need all the support that may be offered.

I am an active member of the Delaware Chapter, Concerns of Police Survivors. We are devoted organization of family members active in support of law enforcement memorial missions, community events that recognize and support police agencies and law enforcement personnel. The legacy of historical fallen across many generations and decades is likewise significant and is a personal mission for which I am devoted.

As a survivor, descendant grand-daughter I qualify as a cyclist and a civilian representative of the Lewes PD and the City of Lewes.

Our family will be always be remembered for their loss more than 80 years ago. Our grand-father Charles will always be remembered for his sacrifice and will never be forgotten:
Town Officer & Sussex County Constable, Charles Fitcher, Sr,
Lewes Police Department, End-of-Watch 13 August, 1939

Address PO Box 707

Address 2

City Point Pleasant

State New Jersey

Zip Code	08742
Contact Person	JuneRose Futcher
Contact Title	Member Cyclist
Contact Phone Number	302-645-8829
Contact Email Address	jfutcher@dtcc.edu
Total Funding Request	1000
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?	500
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?	50
Program Category (choose all that apply)	Cultural
Program Category Other	

Primary Beneficiary Category	Other
Beneficiary Category	Memorial program and historical legacy
Other	
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	200
Scope	<p>The annual Police Unity Tour memorial cycling program is a mission to raise funds and support cyclists in their home communities who represent fallen law enforcement. Cyclists are comprised of family members, "survivors" of fallen officers and active and retired law enforcement. The National Law Enforcement Memorial Fund and Museum receive a portion of the monies. My membership is credentialed as the grand-daughter of a fallen officer in Sussex County, Charles W. Futch, Sr, Lewes PD. Monies raised are credited in my name as Sussex County resident and representative in the Police Unity Tour. The awareness of law enforcement fallen in Sussex County, through this program and related special events preserves the legacy of fallen across Sussex County and the State of Delaware. The Police Unity Tour delegation and motorcade has been stopping and riding (arriving from NJ on the Cape May Lewes Ferry) across the county for many years. The Police Unity Tour makes an effort to conduct brief ceremonies at monuments (for exmample at the Spicer & Futch monuments) involving many police agencies and community members in a shared tribute as respective monuments.</p>
Religious Components	
Please enter the current support your organization receives	5,000.00

for this project (not
entire organization
revenue if not
applicable to request)

Description Membership fundraising requirement

Amount 2,000.00

Description Transportation

Amount 200.00

Description Service & repair

Amount 200.00

Description Accomodations

Amount 300.00

Description Accessories and equipment

Amount 200.00

Description

Amount

Description

Amount

Description

Amount

TOTAL 2,900.00

EXPENDITURES

TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	2,100.00
Name of Organization	Police Unity Tour, Chapter 10-JuneRose Futcher
Applicant/Authorized Official	JuneRose Futcher
Date	11/19/2020
Affidavit Acknowledgement	Yes

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Nancy Cordrey Vincent-OK

From: Sussex County DE <webmaster@sussexcountye.gov>
Sent: Thursday, September 24, 2020 4:29 PM
To: Nancy Cordrey
Subject: Form submission from: Council Grant Form

Council Grant Form	
Legal Name of Agency/Organization	Grace -N- Mercy Ministries, Inc.
Project Name	Thanksgiving Community Dinner
Federal Tax ID	38-3655598 OK
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	We seek to improve the well-being of our community in order for those individuals to be an asset. We have programs within our organization that target poverty, youth, seniors and education.
Address	PO BOX 70
Address 2	
City	Greenwood
State	DE
Zip Code	19950

Contact Person	TONEKIA SHOWELL
Contact Title	Secretary
Contact Phone Number	4438594763
Contact Email Address	tonekia.showell@seaford.k12.de.us
Total Funding Request	\$3,000
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?	1800
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?	75
Program Category (choose all that apply)	Health and Human Services, Other
Program Category Other	Poverty
Primary Beneficiary Category	Low to Moderate Income

Beneficiary Category
Other

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program

500

Scope

The mission for our organization these past 18 years has been to support our community. COVID-19 will not stop this mission. The Thanksgiving Community dinner is specifically for those that are homeless, low income, senior citizen, etc. The pandemic has put a strain on this population and we want to be able to make this time of year easier for them to provide meals for their families. The dinner will be served on the Tuesday before Thanksgiving. We have served over 600 people in Sussex County that may not get a hot meal during the holiday. We may also need to deliver meals in the community and surrounding areas in Sussex County. We will adhere to the CDC recommendations and keep ourselves safe and those we serve safe. This year the dinner will look different because of the pandemic but we are still dedicated to providing this dinner for our community and surrounding area. The meal is a traditional holiday meal: turkey, ham, stuffing, mashed potatoes and gravy, fresh sweet potatoes, green beans, cranberry sauce, rolls and assorted desserts. Over the past 18 years, there have been literally hundreds of volunteers from the community doing everything from baking pies to delivering hundreds of meals to our home bound guests, serving the guests at the dinner and cleaning up after the meal. Many hands truly have made this project a wonderful success over the years. Our servers collectively volunteer more than 1200 hours between preparation and planning for these grand events. Roughly 40 turkey, 20 hams, 140 pies, 736 dinner rolls, 70 large cans of green beans, 30 pans of stuffing, 200 pounds of fresh sweet potatoes, and 150 pounds of mashed potatoes are required to pull off this event in 2020. We are mindful that

we will need to have mask, gloves and enough suppose to make this a successful event.

Religious Components

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request) 500.00

Description Tablecloth (\$10) * (3)

Amount 30.00

Description Napkins (300 napkins in a pack) (\$10) * (6)

Amount 60.00

Description Silverware (360 ct) (\$12) * (6)

Amount 72.00

Description Sterno Burners (\$17) * (13)

Amount 221.00

Description To Go Containers (1000ct.) (\$35) * (6)

Amount 210.00

Description Plates (125 ct.) (\$15) * (10)

Amount 150.00

Description Turkeys (100) * (\$20)

Nancy Cordrey Vincent-OK

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Tuesday, November 24, 2020 11:24 AM
To: Nancy Cordrey
Subject: Form submission from: Council Grant Form

Council Grant Form

Legal Name of Agency/Organization	Town of Blades
Project Name	Town of Blades Kids Christmas Fund
Federal Tax ID	51-6001393
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	To provide Christmas gifts, clothing and food for children/families and elderly in need.
Address	20 West Fourth Street
Address 2	
City	Blades
State	DELAWARE
Zip Code	19973
Contact Person	Karen Raines

Amount	2,000.00
Description	Hams (50) * (\$15)
Amount	750.00
TOTAL EXPENDITURES	3,493.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-2,993.00
Name of Organization	Grace -N- Mercy
Applicant/Authorized Official	Tonekia Showell
Date	09/24/2020
Affidavit Acknowledgement	Yes

Mark as Spam in D3 Forms. Please do not mark as spam in your email client, as it will result in you no longer receiving D3 Forms notifications. Feel free to email info@d3forms.com with any questions.

Contact Title	Town Clerk
Contact Phone Number	302-629-7366
Contact Email Address	karenraines@townofblades.com
Total Funding Request	600.00
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?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	12
Program Category (choose all that apply)	Other
Program Category Other	Christmas Fund
Primary Beneficiary Category	Low to Moderate Income

Beneficiary Category
Other

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program 110

Scope The program helps families in need in the surrounding community. This will be with gifts of toys and clothes and may even account for the Christmas dinner. We will also be touching the lives of some elderly shut-ins. Funding has been a key to our past success and has come from the Town and generous sponsors like yourself. No matter the amount, it should add up to make the holidays special for some kids and parents who could use some help and a little holiday cheer. Thank you in advance for your consideration.

Religious Components

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request) 4,000.00

Description Gifts, Clothing, Food

Amount 5,000.00

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

TOTAL 5,000.00

EXPENDITURES

TOTAL DEFICIT FOR -1,000.00

PROJECT OR

ORGANIZATION

Name of Organization Town of Blades

Applicant/Authorized Lisa Marks
Official

Date 11/24/2020

Affidavit Yes

Acknowledgement

To Be Introduced 12/01/20

Council District 3 - Burton

Tax I.D. No. 235-30.00-58.02 (portion of)

911 Address: 26822 Lewes Georgetown Highway, Harbeson

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.4653 ACRES, MORE OR LESS

WHEREAS, on the 28th day of August 2020, a zoning application, denominated Change of Zone No. 1929 was filed on behalf of Ryan Lehmann; and

WHEREAS, on the ____ day of _____ 2021, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1929 be _____; and

WHEREAS, on the ____ day of _____ 2021, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone 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,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of AR-1 Agricultural Residential District and adding in lieu thereof the designation C-3 Heavy Commercial District 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 Broadkill Hundred, Sussex County, Delaware, and lying on the south side of Lewes Georgetown Highway (Route 9) approximately 0.7 mile east of the intersection of Harbeson Road (Route 5) and Lewes Georgetown Highway (Route 9) and being more particularly described in the attached legal description prepared by Merestone Consultants, said parcel containing 1.4653 acres, more or less.

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

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



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.

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

CC: Everett Moore, County Attorney

Date: November 24, 2020

RE: County Council Report for CU 2247 filed on behalf of Hillary Brock

The Planning and Zoning Department received an application (CU 2247 filed on behalf of Hillary Brock) for a Conditional Use for parcel 234-5.00-44.09 to allow for a mini spa at 19950 Beaver Dam Rd, Lewes. The parcel is zoned AR-1 Agricultural Residential Zoning District. The parcel size is 1.5 acres, more or less.

The Planning and Zoning Commission held a public hearing in relation to the Conditional Use application on November 12, 2020. At the meeting of November 19, 2020, the Commission recommended approval of the application for the 4 reasons and subject to the 7 recommended conditions outlined within the motion (included below).

Below are the draft minutes from the Planning & Zoning Commission meetings of November 12, 2020 and November 19, 2020.

Draft Minutes of the November 12, 2020 Planning & Zoning Commission Meeting

C/U 2247 Hillary Brock

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a mini spa to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 1.50 acres, more or less. The property is lying on the west side of Beaver Dam Rd. (Rt. 23) approximately 0.41 mile south of Hopkins Rd. (S.C.R. 286). 911 Address: 19950 Beaver Dam Rd., Lewes. Tax Parcel: 234-5.00-44.09

Mr. Whitehouse advised the Commission that submitted into the record is a site plan, a copy of the DelDOT service level evaluation response, a staff analysis and comments from the Sussex



County Engineering Department Utility Planning Division. Mr. Whitehouse noted that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and zero mail returns.

The Commission found that Ms. Hillary Brock and Mr. Todd Brock were present on behalf of their application. Ms. Brock stated that she had a mini-spa in downtown Milton that was destroyed in a fire; that she and her husband have built their home on Beaver Dam Road; that the property is improved with a pole building; that a portion of that pole building could be used as a day-spa; that two other providers would also use the premises as subcontractors; that hours of operation would be 9:00 am – 7:00 pm, seven days a week, by appointment only; that a lighted sign is requested; that the light will be extinguished after 10 pm daily; that there is adequate parking; and that there will be approximately 10 people coming and going daily.

The Commission found that Ms. Jane Brock spoke in favor of the Application; that she owns the property adjacent to the subject property and that she will be constructing a home on the neighboring property and living there.

The Commission found that one person spoke in favor of and none in opposition to the Application. Upon there being no further questions, Chairman Wheatley closed the public hearing for this application.

At the conclusion of the Public Hearings, the Commission discussed C/U 2247 Hillary Brock. Motion by Ms. Stevenson, second by Ms. Wingate, to defer action for further consideration. Motion carried 5-0.

Draft Minutes of November 19, 2020 Planning & Zoning Commission Meeting

The Commission discussed this application which has been deferred since November 12, 2020.

Ms. Wingate moved that the Commission recommend approval for Conditional Use 2247 for Hillary Brock based upon the record made during the Public Hearing and for the following reasons:

1. The use is very small in nature. It could nearly be considered a permitted “home occupation” under the County Code. It does not qualify as a “home occupation” because the owner may have three other people working on the premises.
2. The limited use will have little, if any, impact on neighboring properties or the community.
3. The proposed use will not adversely affect traffic, roadways or community facilities in the area.
4. No parties appeared in opposition to this Application.
5. This recommendation is subject to the following conditions:
 - a. The use shall be limited to a portion of the existing pole barn that is located on the property.
 - b. One lighted sign shall be permitted. It shall not exceed 32 square feet per side. The lighting shall be turned off by 10:00 pm each night.
 - c. As stated by the applicant, the hours of operation shall be between 9:00 am and 7:00 pm, Monday through Saturday. There shall not be any Sunday hours.

- d. Any security lighting on the site shall be downward screened so that it does not shine on neighboring properties or roadways.
- e. The applicant shall comply with any DelDOT requirements concerning entrance and roadway improvements.
- f. The Final Site Plan shall show all designated parking areas, and these locations shall also be clearly designated on the site itself. No parking shall be permitted within the front yard setback.
- g. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Ms. Wingate, seconded by Mr. Mears and carried unanimously to recommend approval for the reasons and conditions stated in the motion. Motion carried 4 – 0.

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 12th, 2020

Application: CU 2247 Hillary Brock

Applicant: Hillary Brock
19950 Beaver Dam Road
Lewes, DE 19958

Owner: Hillary Brock
19950 Beaver Dam Road
Lewes, DE 19958

Site Location: 19950 Beaver Dam Road. The property is lying on the west side of Beaver Dam Rd. (Rt. 23) approximately 0.41 mile south of Hopkins Rd. (S.C.R. 286)

Current Zoning: AR-1 Agricultural Residential Zoning District

Proposed Use: Operate a Mini Spa

Comprehensive Land Use Plan Reference: Low Density

Councilmanic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire Department

Sewer: Septic

Water: Well

Site Area: 1.5 acres +/-

Tax Map ID.: 234-5.00-44.09



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



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: November 6, 2020
RE: Staff Analysis for CU 2247 Hillary Brock

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2247 Hillary Brock to be reviewed during the November 12, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 234-5.00-44.09 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District to operate a mini spa. The parcel is located on the west side of Beaver Dam Rd. (Rt. 23) in Lewes, Delaware. The size of the property is approximately 1.50 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework for how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the property has the land use designation of Low-Density Area.

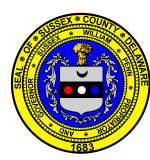
The surrounding parcels to the north, south, east and west are all designated on the Future Land Use Map as "Low Density". The uses that the Low-Density Area land use designation recognizes are primarily agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas.

The property is zoned AR-1 (Agricultural Residential Zoning District). The adjoining and surrounding properties located within the county jurisdiction to the north, south, east and west are all zoned AR-1 (Agricultural Residential Zoning District).

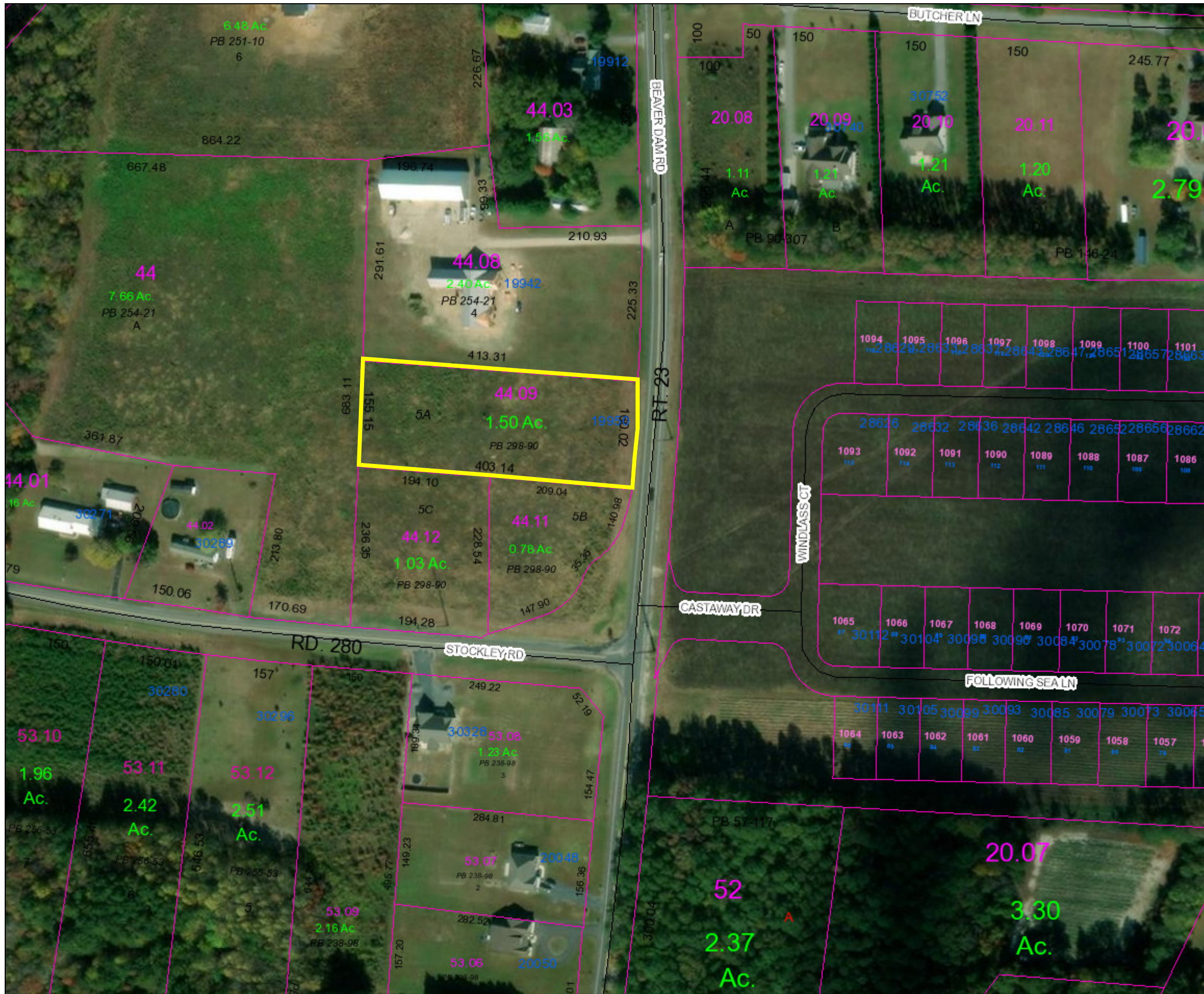
Since 2011, there has been one (1) Conditional Use approval within a 1-mile radius of the application site. Conditional Use Number 2014 for a landscaping and site work business was approved by Sussex County Council on October 13, 2015 with Ordinance No. 2420.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow operation of a mini spa, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



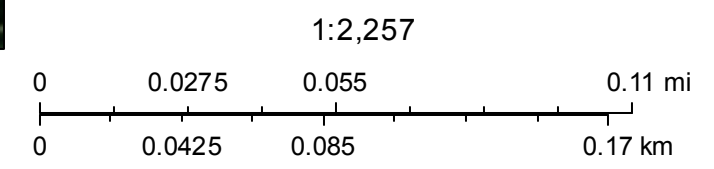


Sussex County



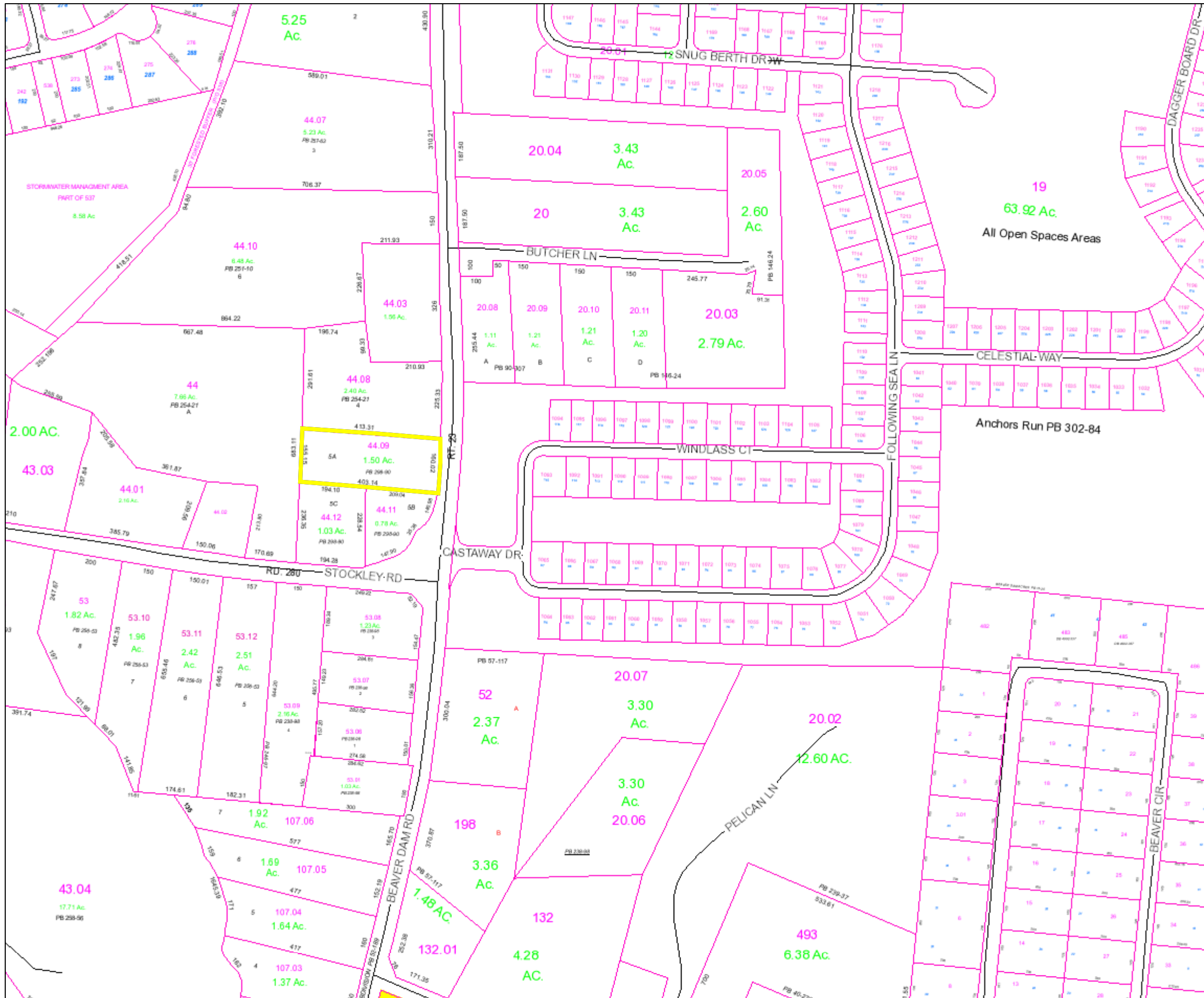
PIN:	234-5.00-44.09	
Owner Name	BROCK TODD	MATTHEW TODD
Book	5197	
Mailing Address	35609 PEREGRINE RD	
City	LEWES	
State	DE	
Description	CRN / BEAVER DAM RD	
Description 2	& STOCKLEY RD	
Description 3	LOT 5A LANDS OF MATTHEW TODD	
Land Code		

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





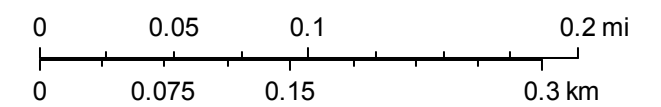
Sussex County

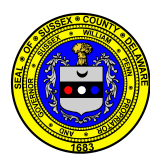


PIN:	234-5.00-44.09	
Owner Name	BROCK TODD	MATTHEW TODD
Book	5197	
Mailing Address	35609 PEREGRINE RD	
City	LEWES	
State	DE	
Description	CRN / BEAVER DAM RD	
Description 2	& STOCKLEY RD	
Description 3	LOT 5A LANDS OF MATTHEW TODD	
Land Code		

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 Override 1
- Tax Parcels
- Streets

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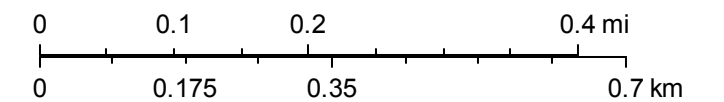
Sussex County



PIN:	234-5.00-44.09	
Owner Name	BROCK TODD	MATTHEW
Book	5197	
Mailing Address	35609 PEREGRINE RD	
City	LEWES	
State	DE	
Description	CRN / BEAVER DAM RD	
Description 2	& STOCKLEY RD	
Description 3	LOT 5A LANDS OF MATTHEW	
Land Code		

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets

1:9,028



Introduced 10/20/20

**Council District 3 - Burton
Tax I.D. No. 234-5.00-44.09
911 Address: 19950 Beaver Dam Rd., Lewes**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MINI SPA TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.50 ACRES, MORE OR LESS

WHEREAS, on the 12th day of October 2020, a conditional use application, denominated Conditional Use No. 2247 was filed on behalf of Hillary Brock; and

WHEREAS, on the ____ day of _____ 2020, 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. 2247 be _____; and

WHEREAS, on the ____ day of _____ 2020, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2247 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 Indian River Hundred, Sussex County, Delaware, and lying on the west side of Beaver Dam Road (Route 23) approximately 0.41 mile south of Hopkins Road (S.C.R. 286) and being more particularly described in the attached legal description prepared by Sergovic, Carmean, Weidman, McCartney & Owens, P.A., said parcel containing 1.50 acres, more or less.

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

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



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.

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

CC: Everett Moore, County Attorney

Date: November 24, 2020

RE: County Council Report for CZ 1930 filed on behalf of Indian River School District

The Planning and Zoning Department received an application (CZ 1930 filed on behalf of Indian River School District) for a Change of Zone of parcels 133-7.00-8.01 & 133-11.00-105.00 from Agricultural Residential (AR-1) Zoning District to I-1 Institutional Zoning District for a 186.98 acre parcel(s) located at 26026 Patriots Way.

The Planning and Zoning Commission held a public hearing on November 12, 2020. At the meeting of November 12, 2020, the Commission recommended approval of the application for the 6 reasons outlined within the motion (included below).

Below are the draft minutes from the Planning & Zoning Commission meeting of November 12, 2020.

Draft Minutes of the Planning & Zoning Commission Meeting of November 12, 2020

C/Z 1930 Indian River School District

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a I-1 Institutional District for a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, containing 186.98 acres, more or less. The property is lying on the east and west side of Patriot's Way. 911 Address: 26026 Patriots Way & N/A. Tax Parcels: 133-7.00-8.01 & 133-11.00-105.00

Mr. Whitehouse advised the Commission that submitted into the record is a site plan, a copy of the DelDOT service level evaluation response, a staff analysis and comments from the Sussex County Engineering Department Utility Planning Division. Mr. Whitehouse noted that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and zero mail



returns.

The Commission found that Mr. Joe Booth was present on behalf of the Applicant, Indian River School District; that the current Sussex Central High School has a conditional use; that the change of zone to Institutional Zoning would be more appropriate than a conditional use; and that a proposed new school will be constructed adjacent to the existing high school.

The Commission found that no one spoke in favor of or in opposition to the Application. Upon there being no further questions, Chairman Wheatley closed the public hearing for this application.

Ms. Wingate moved that the Commission recommend approval for Change of Zone 1930 for Indian River School District based upon the record made during the Public Hearing and for the following reasons:

1. This site was previously approved as a conditional use for a new school. I-1 Institutional Zoning is more appropriate than a Conditional Use for a new school.
2. This is a change of zone for the I-1 Zoning District. The I-1 Zoning District has permitted uses that focus on healthcare and institutional uses.
3. The rezoning is consistent with the stated purpose of the I-1 District, which is to allow public, quasi-public and institutional uses to occur on properties that are compatible with surrounding districts and uses. This site is the proposed location for the new Sussex Central High School. It is directly across the road from the existing Howard T. Ennis school and next to the existing Sussex Central High School. The purpose of the I-1 zoning and the permitted uses within the I-1 district are consistent with this area.
4. The rezoning will not adversely affect neighboring properties, public facilities, traffic or area roadways.
5. The rezoning to I-1 promotes the health, safety and general welfare of Sussex County and its present and future residents by providing a convenient location for needed schools.
6. Any further development of this site will require site plan review and approval of the Sussex County Planning and Zoning Commission.

Motion by Ms. Wingate, seconded by Mr. Hopkins and carried unanimously to recommend approval for the reasons and conditions stated in the motion. Motion carried 5 – 0.

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: November 12th, 2020

Application: CZ 1930 Indian River School District

Applicant: Indian River School District
31 West Hosier St
Selbyville, DE 19975

Owner: Indian River School District
31 West Hosier St
Selbyville, DE 19975

Site Location: 26026 Patriots Way. The property is lying on the east and west side of Patriot's Way

Current Zoning: AR-1 Agricultural Residential Zoning District

Proposed Zoning: I-1 Institutional Zoning District

Comprehensive Land Use Plan Reference: Commercial & Low Density

Councilmanic District: Mr. Rieley & Mr. Wilson

School District: Indian River School District

Fire District: Millsboro Fire Department

Sewer: Town of Georgetown

Water: Owned by Applicant

Site Area: 186.98 acres +/-

Tax Map ID.: 133-7.00-8.01 & 133-11.00-105.00





Memorandum

To: Sussex County Planning Commission Members
From: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: November 6, 2020
RE: Staff Analysis for CZ 1930 Indian River School District

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1930 Indian River School District to be reviewed during the November 12, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcels 133-7.00-8.01 and 133-11.00-105.00 to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to an Institutional (I-1) District. The properties are lying on the northeast and southwest side of Patriots Way (S.C.R. 318) in Georgetown, DE. The size of the properties are approximately 32.43 acres +/- and 164.55 acres +/- respectively.

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 133-7.00-8.01 has the land use designation of "Low Density." The Future Land Use map in the plan indicates that the subject property 133-7.00-8.01 has the land use designation of "Commercial." Each property to the north, south and east also has the "Low Density" designation. Properties to the west are designated "Developing Area" or are located within a municipality. The uses that the Low-Density Area land use designation recognizes are primarily agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas. "Commercial Areas" include concentrations of retail and service uses that are mainly located along arterials, and highways. Specifically, Commercial Areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic.

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 Institutional (I-1) Zoning District is listed as an applicable zoning district in both the "Low Density" and "Commercial Area."



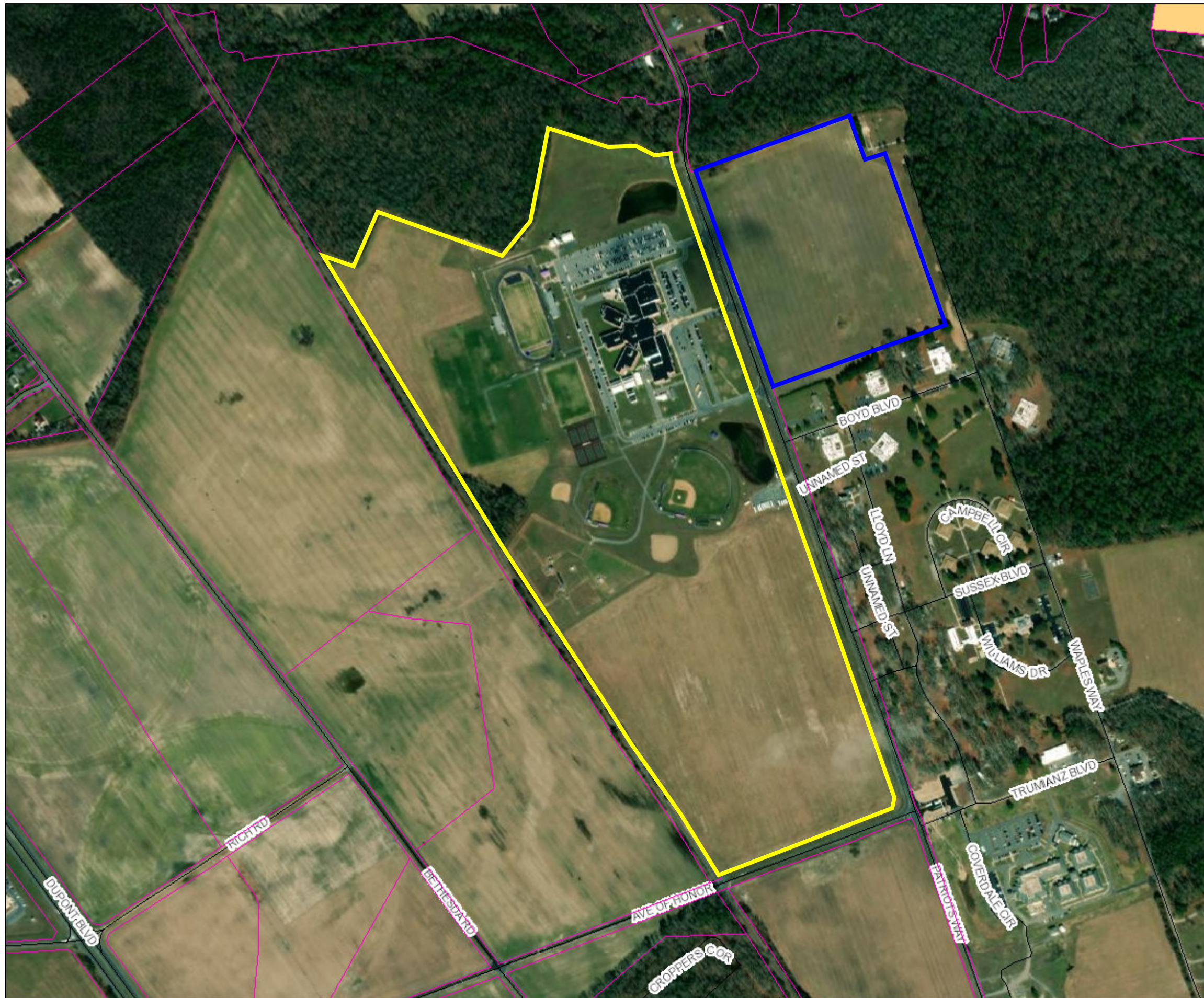
Additionally, the subject property is currently within an Agricultural Residential (AR-1) Zoning District. Each parcel to the north, south, east, and west is also within the Agricultural Residential Zoning District. In the near vicinity there are also parcel located within a municipality.

Since 2011, there have been two (2) Change of Zone applications within a one-mile radius of the subject properties. Change of Zone No. 1903, which proposed a change from Agricultural Residential (AR-1) District to Medium Commercial (C-2) District, was approved by County Council on February 25, 2020. It was adopted through Ordinance No. 2709. Change of Zone No. 1814, proposed a change from Agricultural Residential (AR-1) District to Commercial Residential (CR-1) District, was approved by the Sussex County Council on April 11, 2017. It was adopted through Ordinance No. 2491.

Based on the analysis of the surrounding zoning and uses, a Change of Zone to an Institutional (I-1) Zoning District could be considered as being consistent with the land use, area zoning and surrounding uses.



Sussex County



PIN:	133-11.00-105.00
Owner Name	INDIAN RIVER SCHOOL DISTRICT
Book	4278
Mailing Address	31 HOSIER ST
City	SELBYVILLE
State	DE
Description	NW INTERSECTION
Description 2	RD 86 RD 318
Description 3	
Land Code	

polygonLayer

Override 1

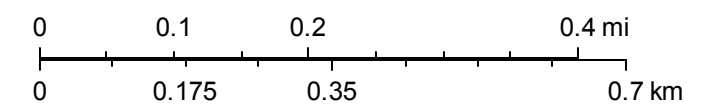
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Override 1

Tax Parcels

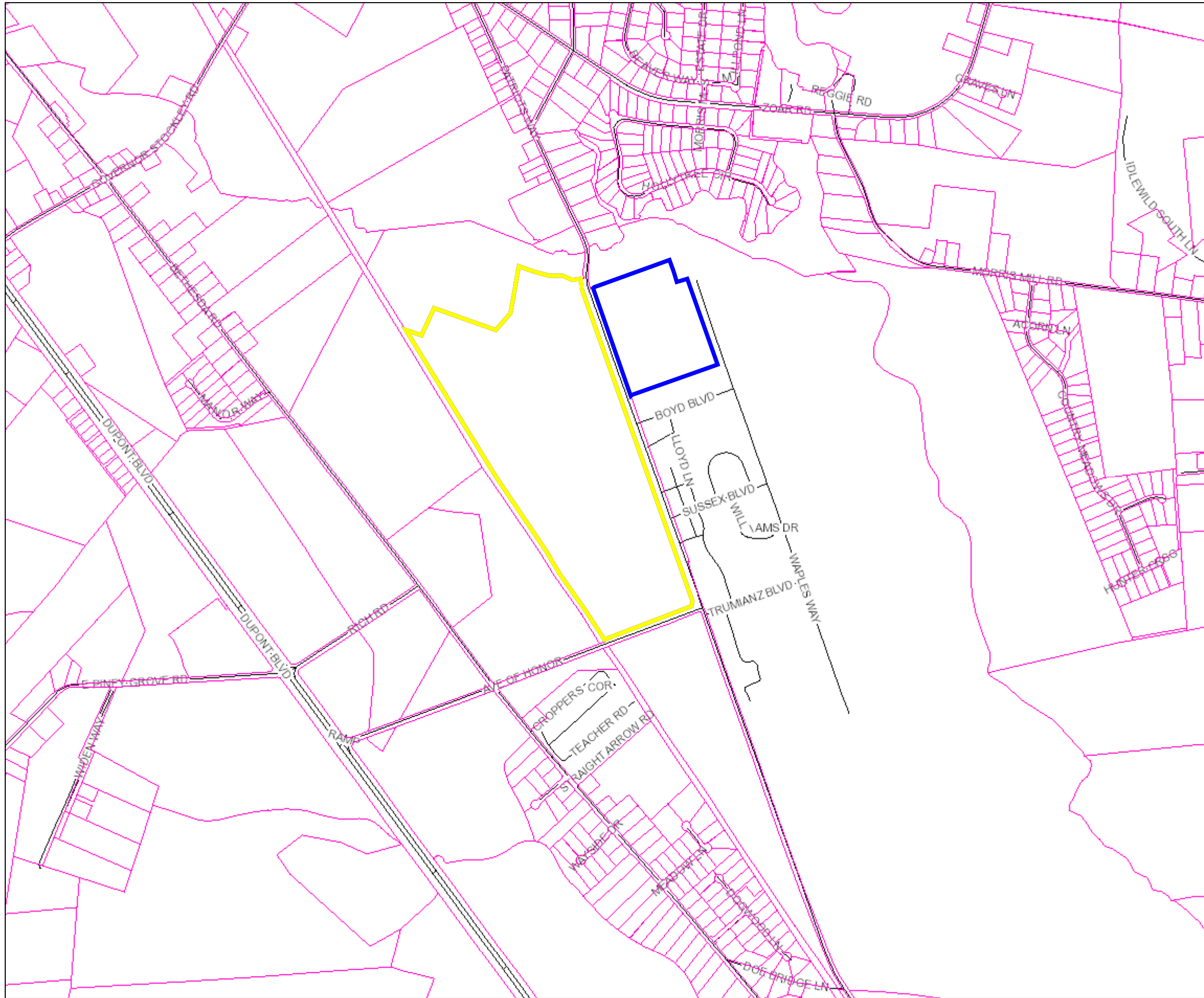
Streets

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Sussex County



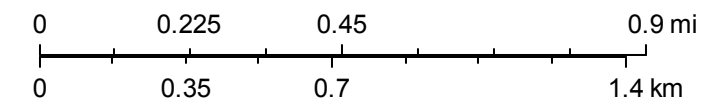
PIN:	133-11.00-105.00
Owner Name	INDIAN RIVER SCHOOL DISTRICT
Book	4278
Mailing Address	31 HOSIER ST
City	SELBYVILLE
State	DE
Description	NW INTERSECTION
Description 2	RD 86 RD 318
Description 3	
Land Code	

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 - Override 1
- polygonLayer**

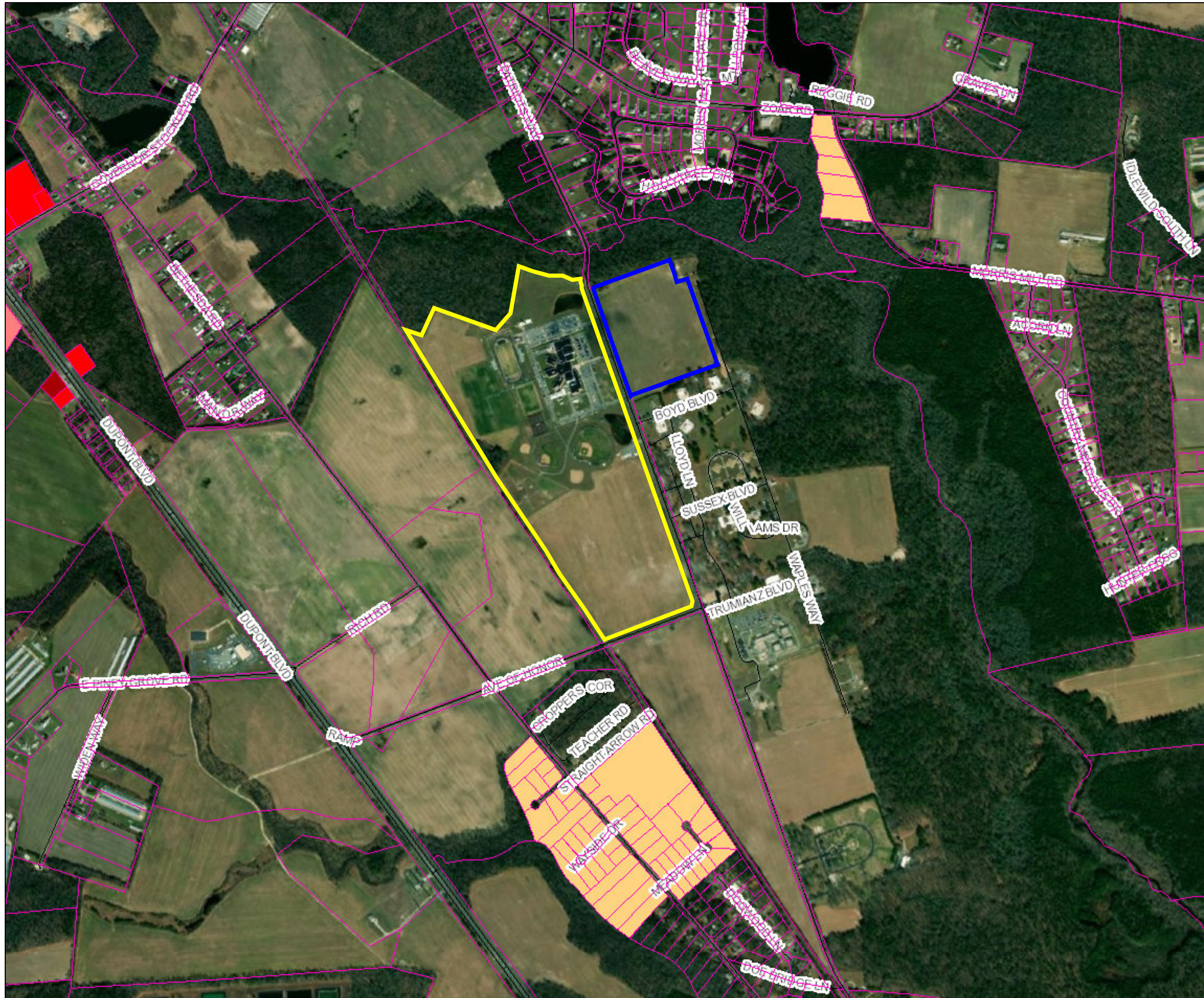
 - Override 1
- Tax Parcels
- Streets
- County Boundaries

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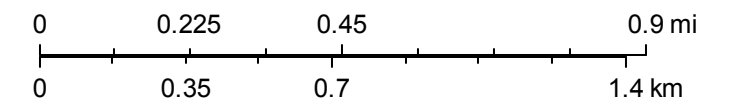
Sussex County



PIN:	133-11.00-105.00
Owner Name	INDIAN RIVER SCHOOL DISTRICT
Book	4278
Mailing Address	31 HOSIER ST
City	SELBYVILLE
State	DE
Description	NW INTERSECTION
Description 2	RD 86 RD 318
Description 3	
Land Code	

- polygonLayer**
 - Override 1
- polygonLayer**
 - Override 1
- Tax Parcels
- Streets

1:18,056



Introduced 10/06/20

**Council District 5 (Rieley) & District 2 (Wilson)
Tax I.D. Nos. 133-7.00-8.01 & 133-11.00-105.00
911 Address: 26026 Patriots Way, Georgetown & None Available**

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A I-1 INSTITUTIONAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 186.98 ACRES, MORE OR LESS

WHEREAS, on the 3rd day of September 2020, a zoning application, denominated Change of Zone No. 1930 was filed on behalf of Indian River School District; and

WHEREAS, on the ____ day of _____ 2020, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1930 be _____; and

WHEREAS, on the ____ day of _____ 2020, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone 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,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of AR-1 Agricultural Residential District and adding in lieu thereof the designation I-1 Institutional District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Dagsboro Hundred, Sussex County, Delaware, and lying on the east and west side of Patriot's Way and being more particularly described in the attached legal description prepared by Griffin & Hackett and Haller & Hudson, said parcel containing 186.98 acres, more or less.

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

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



Sussex County

DELAWARE
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Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.

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

CC: Everett Moore, County Attorney

Date: November 24, 2020

RE: County Council Report for CZ 1932 filed on behalf of Jeff-Kat, LLC

The Planning and Zoning Department received an application (CZ 1932 filed on behalf of Jeff-Kat, LLC) for a Change of Zone of a portion of parcel 335-8.00-40.00 from Agricultural Residential (AR-1) Zoning District to C-3 Heavy Commercial Zoning District for a 0.78 acre parcel located at 1005 Kings Highway, Lewes.

The Planning and Zoning Commission held a public hearing on November 12, 2020. At the meeting of November 19, 2020, the Commission recommended approval of the application for the 9 reasons outlined within the motion (included below).

Below are the draft minutes from the Planning & Zoning Commission meeting of November 12, 2020 and the draft minutes from the Planning & Zoning Commission meeting of November 19, 2020.

Draft Minutes of the Planning & Zoning Commission Meeting of November 12, 2020

C/Z 1932 Jeff-Kat, LLC

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-3 Heavy Commercial District for a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 0.78 acre, more or less. The property is lying on the east side of Kings Highway (Route 9) approximately 900 feet southeast of Theodore C. Freeman Highway (S.C.R 23). 911 Address: 1005 Kings Highway, Lewes. Tax Parcel: 335-8.00-40.00 (portion of)

Mr. Whitehouse advised the Commission that submitted into the record is a staff analysis, a site plan, an exhibit book, a copy of the DelDOT service level evaluation response and comments from the Sussex County Engineering Department Utility Planning Division. Mr. Whitehouse noted that the



Office of Planning and Zoning received two comments regarding the Application which has been circulated to Commission members.

The Commission found that Ring Lardner was present on behalf of the Applicant, Jeff-Kat, LLC; that also present is the Applicant, Mr. Jeff Hamer; that the Application before the Commission is to rezone a 0.78 of land from Agricultural Residential (AR-1) to Heavy Commercial (C-3); that in May 2019, Council approved the rezoning on a parcel of land to the east of the subject property; that the area to be rezoned is currently owned by First Baptist Church of Lewes; that the purchase of this portion of land is contingent on the successful rezoning of this land; that to the north of the subject property is Frist Baptist Church, Bay Breeze Estates, Jefferson Apartments; that across Kings Highway to the west is a commercial strip and as you move south there is Henlopen Gardens, Jack Lingo Realty and Cape Henlopen High School; that to the south of the subject property is the Cape Henlopen Medical Center, Mitchell lands and Lane Builders which is adjacent to Big Oyster; that the site is not in a floodplain and does not contain federal wetlands; that there are no know archaeological sites or national register-listed properties on the subject parcel; that the property is located in Level One Investment Area of the State Strategies on Spending Map and is in the Coastal Area of the 2045 Future Land Use Map in the Sussex County Comprehensive Plan; that there are commercial uses in the area so this request is not out of character for the area; that the DelDOT response is included in the packet and states that the use would generate less than 50 trips per hour, less than 500 trips per day and therefore, a Traffic Impact Study is not required; that some right of way may be required by DelDOT when the site plan is submitted; that if this rezoning is approved, the subject parcel would be used for the Big Oyster brew pub business and the existing dwelling on the property would be used as an office; that the use will not adversely affect the neighborhood as the brew pub is already in operation; that vehicular circulation will be improved as additional parking will be added; that the request is consistent with the recent C-3 zoning and the Comprehensive Plan; that the C-3 Zoning is appropriate based on the record made this evening and the information contained within the booklet; and that the conditions for C/Z 1875 would be appropriate for this change of zone request.

Mr. Hamer stated that when he began his business four years ago that the neighboring Baptist Church was opposed to his Application; that he has been a good neighbor to the Church; that now they Church is selling part of their property to him and are in support of the Application; that currently the business leases commercial property across King's Highway; that to have additional property on the same side of the street will provide a safer environment for employees and the general public; and that they will continue to operate responsibly as the business grows.

Mr. Whitehouse noted that the subject property is in the Kings Highway Master Plan Area and the County participates in discussion regarding this area.

Mr. Jay Tomlinson representing Citizens for Responsible Kings Highway Development; stated that he does not necessarily oppose the rezoning based on the relationships of the existing zoning; that there are issues with the Kings Highway Master Plan and the amount of right-of-way which will be required; that the Applicant and DelDOT have not detailed the requirement for the highway; and that there are some concerns about where the additional parking will be located.

Mr. Kenneth Mecham representing the First Baptist Church of Lewes; stated that the Church supports this Application.

The Commission found that one person spoke in favor of and one in opposition to the Application. Upon there being no further questions, Chairman Wheatley closed the public hearing for this application.

At the conclusion of the Public Hearings, the Commission discussed C/Z 1932 Jeff-Kat, LLC. Motion by Ms. Stevenson, second by Ms. Wingate, to defer action for further consideration. Motion carried 5-0.

Draft Minutes of the Planning & Zoning Commission Meeting of November 19, 2020

The Commission discussed this application which has been deferred since November 12, 2020.

Ms. Wingate moved that the Commission recommend approval for Change of Zone 1932 Jeff-Kat, LLC based upon the record made during the Public Hearing and for the following reasons:

1. C-3 Heavy Commercial Zoning is designed to allow auto-oriented retail and service businesses that serve local and regional residents. Permitted Uses include retail uses, restaurants, offices and vehicle service stations.
2. The site is adjacent to the applicant's property that is currently used for a brewpub/restaurant. This location is appropriate for this type of zoning.
3. This location currently has a dwelling and multi-purpose building. The applicant stated that these existing structures will be incorporated into its restaurant and brewery operations at the site.
4. As stated by the Applicant, there will be interconnectivity between this site and the existing brewpub restaurant that is next to it.
5. The expansion of the Applicant's C-3 zoning will also improve the vehicle movement and parking on the entire site.
6. The site will be served by central water and sewer.
7. The site is in the Coastal Area according to the Sussex County Land Use Plan. This type of commercial use is appropriate in these Areas according to the Plan.
8. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity and welfare of the County.
9. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

Motion by Ms. Wingate, seconded by Mr. Mears and carried unanimously to recommend approval for the reasons and conditions stated in the motion. Motion carried 4 – 0.

PLANNING & ZONING COMMISSION

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



Sussex County

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302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: November 12th, 2020

Application: CZ 1932 Jeff-Kat, LLC

Applicant: Jeff-Kat, LLC
113 Draper Dr
Rehoboth Beach, DE 19971

Owner: First Baptist Church of Lewes
P.O. Box 25
Lewes, DE 19958

Site Location: The east side of Kings Highway (Route 9) approximately 900 feet southeast of Theodore C. Freeman Highway (S.C.R 23)

Current Zoning: AR-1 Agricultural Residential Zoning District

Proposed Zoning: C-3 Heavy Commercial Zoning District

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire Department

Sewer: Lewes BPW

Water: Lewes BPW

Site Area: 0.78 acre +/-

Tax Map ID.: 335-8.00-40.00 (part of)





Memorandum

To: Sussex County Planning Commission Members
From: Nick Torrance, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: November 6th, 2020
RE: Staff Analysis for CZ 1932 Jeff-Kat, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1932 Jeff-Kat, LLC to be reviewed during the November 12th, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcel 335-8.00-40.00 (portion of) to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Heavy Commercial (C-3) District. The property is lying on the east side of Kings Hwy. (Route 9) 900 feet southeast of Theodore C. Freeman Highway (S.C.R 23). The size of the property is approximately 0.78 acre +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has the land use designation of "Coastal Area." Each property to the south, east, and west also has the "Coastal Area" designation. The property to the north is located within town limits of Lewes and therefore has a future land use classification of Municipality. The Coastal Area is designated to encourage growth and development provided that environmental concerns are addressed. The Coastal Area may include various types of housing, small-scale retail and office, light commercial, and institutional land uses. Sussex County's base density of two (2) units per acre is standard. Medium and higher densities (4-12 units per acre) may be appropriate in select locations.

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 Heavy Commercial (C-3) Zoning District is listed as an applicable zoning district in the "Coastal Area."

Additionally, the subject property is currently within an Agricultural Residential (AR-1) Zoning District. The parcels to the south and west are currently zoned C-1 (general commercial), the parcel to the east is currently C-3 (Heavy commercial) and the parcels to the north are located within town limits.

Since 2011, there has been one Change of Zone applications within a one-mile radius of the subject property. Change of Zone No. 1875, which proposed a change from Agricultural Residential (AR-1) District to Heavy Commercial (C-3) District, was approved by County Council on May 14th, 2019. It was adopted through Ordinance No. 2654.



Based on the analysis of the surrounding zoning and uses, a Change of Zone to a Heavy Commercial (C-3) Zoning District could be considered as being consistent with the land use, area zoning and surrounding uses.

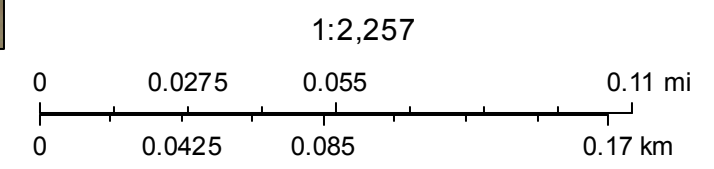


Sussex County



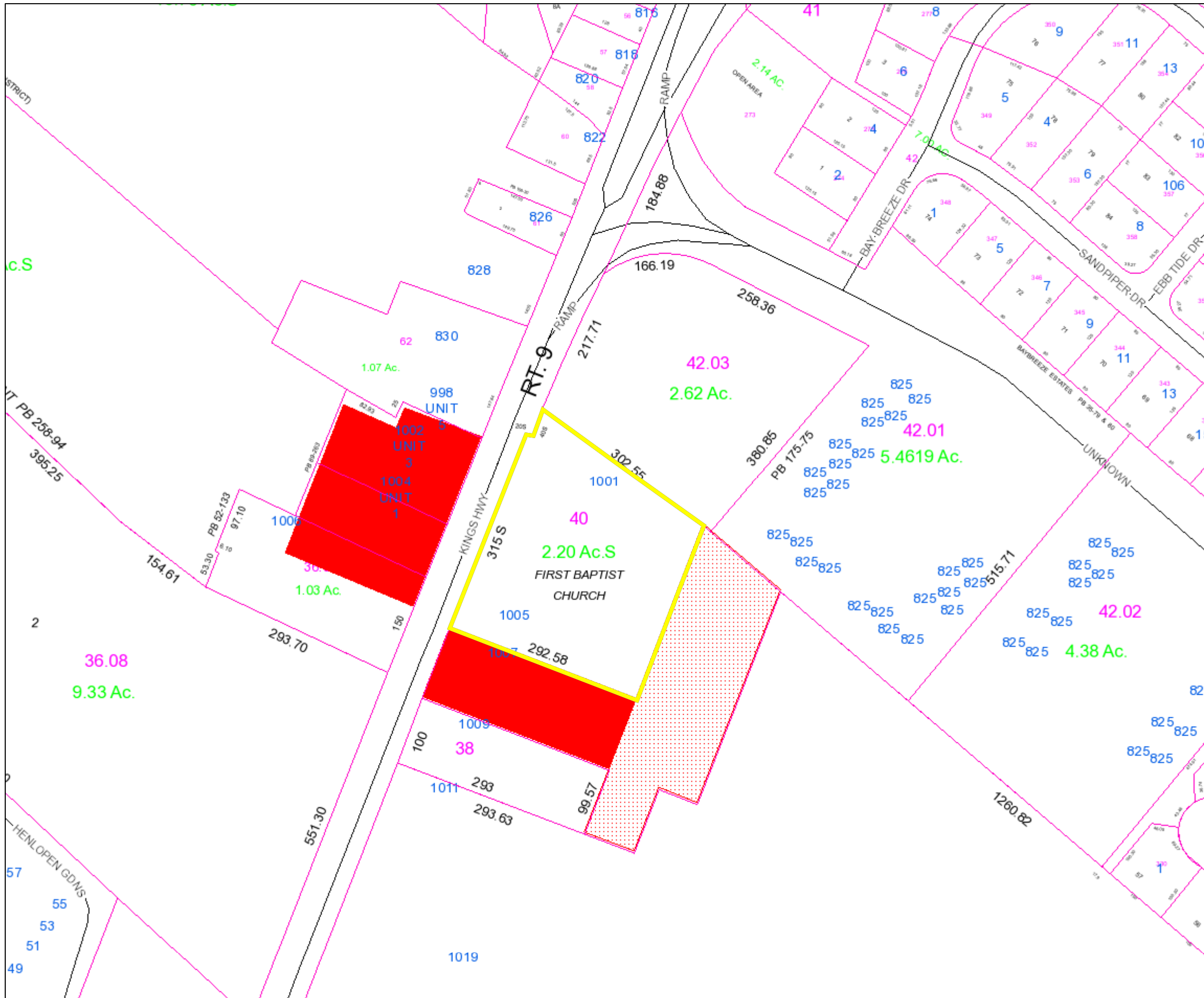
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Owner Name	CHURCH	FIRST BAPTIST OF LEWES
Book	0	
Mailing Address	PO BOX 25	
City	LEWES	
State	DE	
Description	KING ST. RD.	
Description 2	LOT W/IMP 2.2 AC.S.	
Description 3	64150	
Land Code		

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





Sussex County



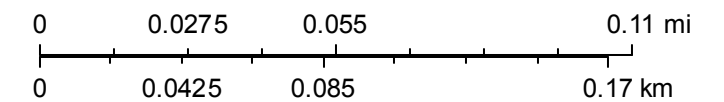
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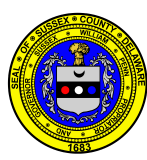
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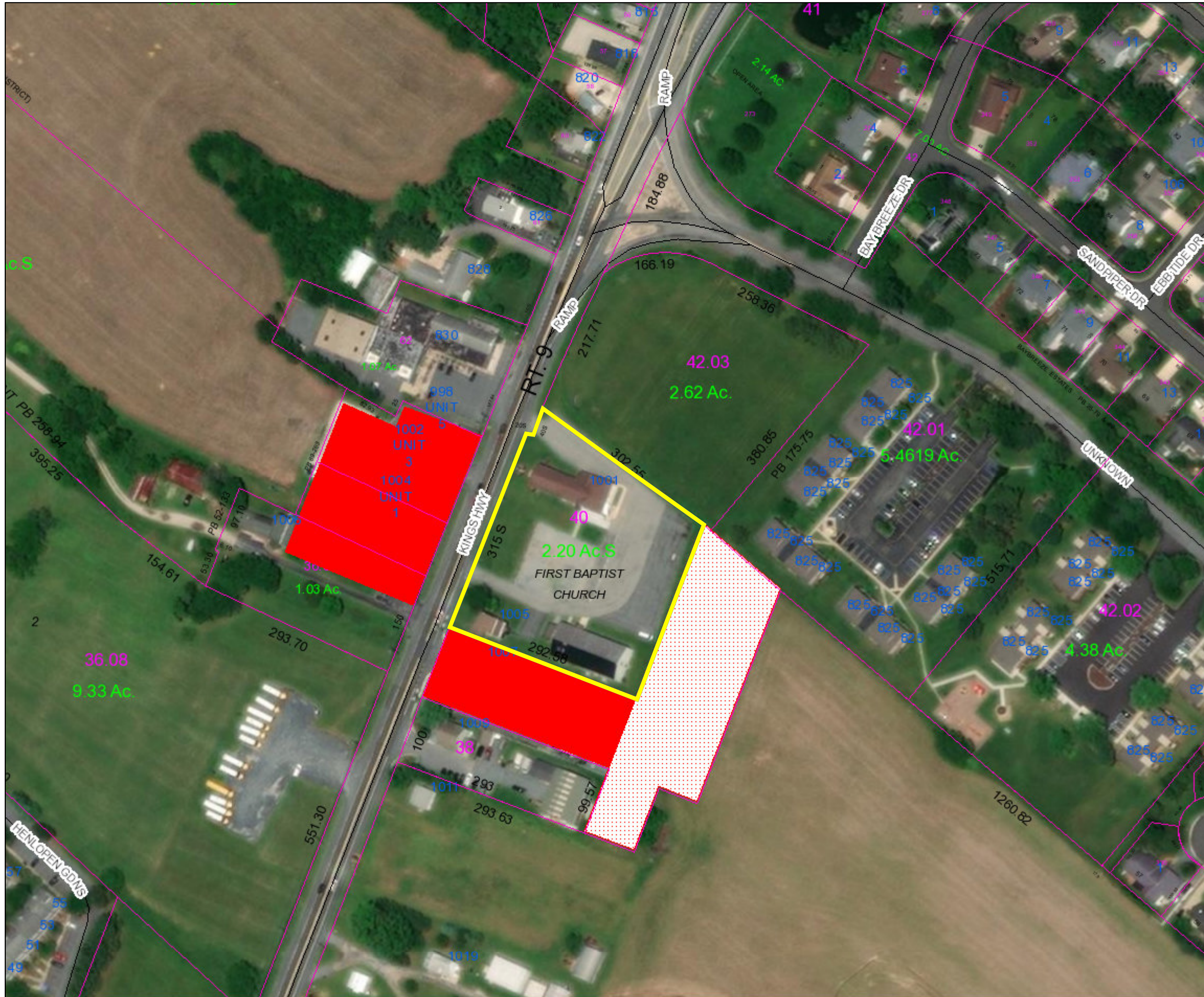
 - Override 1
- Tax Parcels
- 911 Address
- Streets

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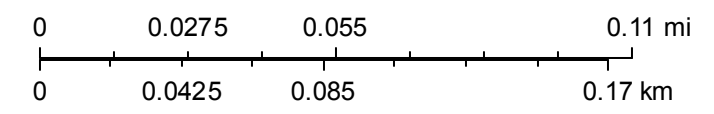
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Introduced 10/06/20

**Council District 3 - Burton
Tax I.D. No. 335-8.00-40.00 (part of)
911 Address: 1005 Kings Highway, Lewes**

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.78 ACRE, MORE OR LESS

WHEREAS, on the 29th day of September 2020, a zoning application, denominated Change of Zone No. 1932 was filed on behalf of Jeff-Kat, LLC; and

WHEREAS, on the ____ day of _____ 2020, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1932 be _____; and

WHEREAS, on the ____ day of _____ 2020, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone 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,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of AR-1 Agricultural Residential District and adding in lieu thereof the designation C-3 Heavy Commercial District 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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the east side of Kings Highway (Route 9) approximately 900 feet southeast of Theodore C. Freeman Highway (S.C.R 23) and being more particularly described in the attached legal description prepared by Atlantic Surveying and Mapping, LLC, said parcel containing 0.78 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.