Application Form

Submitted Time:
January 25, 2024 10:38 PM

Preliminary Land Use Service

PLUS ID: 2024-02-04

State Strategy Level: 2

PLUS Application Type - Rezoning

Title: Sea Esta Rezoning, Dewey Beach
County: Sussex County **Municipality:** Dewey Beach
Description of PLUS project/plan:
Rezoning of Sea Esta Motel Property (Parcel #334-20.14-205) from RB2 to RR

Section I: Project Location

How many parcels are involved in this project?
One Parcel

Total number of parcels being reviewed for this project

Parcel ID(s): SC:334-20.14-205

Project Location: 24 Houston St, Dewey Beach, DE 19971

If contiguous to a municipality, are you seeking Annexation? No

Section II: Project Contact Information

Owner Contact Information

Carolyn Metz
PO BOX 394
Rehoboth Beach, DE 19971
Phone: (302) 227-6767
Email: justin.healy@msir.net
Fax:

Equitable Owner/Developer Contact Information

Is there and Equitable Owner/Developer for this project? **Yes**
GIR Properties, LLC
1000 North King Street
Wilmington, DE 19801
Phone: (302) 377-3838
Email: vthomas@ycst.com
Fax:

Project Engineer/Designer Contact Information

Is there a Project Engineer or Designer for this project? No

Phone:
Email:
Fax:

Please designate a Primary Contact for this Project/Application.
Equitable Owner/Developer

Section III: Project Details

Project Area (Acres): **0.34**
Type of Development: **Residential**
If Mixed Use, what types are included:

Previous PLUS Information

Was this property a subject of a previous PLUS Review? **Unknown**
If Previous PLUS, what was the PLUS ID:

Zoning Information

Present Zoning for this project area: **Dewey Beach - RB2**
Proposed Zoning for this project: **Dewey Beach - RR**

Land Use Information

Present Use for this project area: **Hotel**
Proposed Use for this project: **3 Residential Homes**

Residential Development Information

Type of Residential: **Single Family**
If mixed residential, what types of residential?

Residential Target Market: **Ownership**

Type of Homeownership: **Market rate**
Total number of Homeownership units: **3**

Type of Rental Units:
Total number Rental Units:

Table of Residential Units Proposed

Total Res. Units	Single Family	Multi-Family	Duplex/Townhouse
	3		

Commercial Development Information

Type of Commercial:
Type of Industrial:
Institution Type:
Total Square footage:

School Development Information

School Level:

Estimated Square Footage of School:

Estimated Number of Students:

What Fiscal Year (FY) do you anticipate applying for the Certificate of Necessity (CN)?

Does this project require a Conditional Use decision? No
If yes, please provide a brief description of the conditional use justification:

Are there any Federal permits, licensing, or funding anticipated for this project?
No
If yes, please describe/elaborate

Site Visit Option

To promote an accurate review of your project's features, would you permit a State agency site visit? **Yes**

If yes, please provide a contact name and phone number to schedule a site visit:
Paul Perna - 302-743-4484

Section IV: Utilities

Water Supply Details

What type of water provider will be used for this project? **Public Utility**
Who is the Water Service Provider: **Municipal**
Will a new public well be located at this site? **No**

Wastewater Supply Details

What type of wastewater Supply provider will be used for this project? **Public Utility**
Who is the Wastewater Service Provider: **Municipal**
Will a new public wastewater system be located at this site?
Yes

Section V: Environmental Details

Forestland detail

Existing Forested Area (Y/N)	Existing Forest (acres)	Will any forest be removed? (Y/N)	Estimated Removed Forest (acres)
No			

Wetlands Details

Based on your PLUS Pre-Check report, are there any wetlands, as defined by the U.S. Army Corps of Engineers OR the Delaware Department of Natural Resources and Environmental Control (DNREC) on this site?
No

Tidal Wetlands

Are there Tidal Wetlands?
If yes, estimated Acres of Tidal Wetlands:

Non-tidal Wetlands

Are there Non-Tidal Wetlands?
If yes, estimated Acres of Non-Tidal Wetlands:

Wetland Impact

Will the site design proposed directly impact these wetland areas and/or do you anticipate a wetlands permit will be required?

If yes, estimated acres of wetlands impacted:

Wetland Delineation

Have the wetlands been delineated?
If delineated, has the U.S. Army Corps of Engineers signed off on the delineation?

Tax Ditch Details

Based on your PLUS Pre-Check report, is this site within the buffer area or contain a Tax Ditch, public ditch, or private ditch (that directs water off-site)?
No

Stormwater Management Details

List the proposed stormwater management practices for this site:
N/A

Open Space Details

Is there Open Space proposed for this project? **Unknown**
Estimated acres of Open Space proposed:

What kind of Open Space?
Please list the "other" type of Open Space:
Will any land from this project be dedicated for community use (e.g. police, fire, school)?
No
Please describe anticipated community use

Section VI: Transportation / Mobility / Connectivity

Vehicle Trip Details

Do you have estimated vehicle trip information? **No**
Please provide estimated vehicle trips this project will generate on an average weekday.

What percentage of these trips will be from school buses, large commercial trucks such as Tractor-trailers, and/or delivery trucks (larger than a van or pick-up)?

Road Connectivity Details

Will this project connect to State maintained roads? **Yes**

Please list any locations where this project could physically be connected to existing or future development or adjacent land for connectivity/mobility and indicate your willingness to discuss making these connections.
N/A

Mobility Details

Is there a proposed or existing accessway (sidewalk transition from infrastructure in ROW to internal pathways)?
Yes

Have there already been discussions with DTC Planning staff of the need for new or improving existing transit stops on-site, near the site but within right-of-way, and/or as a companion stop?
No

Is there an opportunity to connect to a larger bike, pedestrian, or transit network?
No

Table of Mobility Connectivity Parameters

	Sidewalks	Bike Paths	Bus Stops
Currently exist?	No	No	No
Type existing			
Proposed to add?	No	No	
Type proposed			

Section VII: Historic / Cultural Information

Based on your PLUS Pre-Check report, has a cultural resource professional previously evaluated the site for historic and/or cultural resources?
No

If no, I acknowledge that the Pre-Check against the CHRIS system did not identify any historic/cultural resource areas on this site.
Acknowledge

If yes, please provide details regarding evaluation by a cultural resource professional.

Based on your PLUS Pre-Check report, is this site in the VICINITY of any known historic/cultural resources or sites?
No

If no, I acknowledge that the Pre-Check against the CHRIS system did not identify any historic/cultural resource areas near this site.
Acknowledge

If yes, please provide details regarding known historic/cultural resources near the project site.

Section IX: Signatures

Is the person completing this form the Property Owner? **No**

If yes, Signature of Owner completing form

If no, after you submit this application, you will be emailed with a request to upload the Owner Signature Form to the Delaware Planning Drop Box site.

Signature of Person completing form on behalf of the Property Owner



As the project contact, I acknowledge that this application will not be complete until OSPC receives the Owner Signature
Acknowledge

PLUS

Project Owner Signature

This page needs to accompany the completed PLUS application for any project. The person signing this form shall be the actual owner of the property where the proposed project is located.

Project Name: Sea Esta Rezoning PLUS NUMBER 2024-02-04

Project ID (to be completed by OSPC): _____

I hereby certify that I am the owner of the property identified in the accompanying PLUS application.

_____, Manager 11/30/24

Signature of Property Owner Date

Vincent C. Thomas, Manager of GIR Properties, LLC

Property Owner (Please Print)

_____ _____

Signature of Additional Owner (if applicable) Date

_____

Additional Owner (Please Print)

OSPC

Published January 2022

GIR Properties, LLC
Re-Zoning Request for
Tax Map Parcel # 334-20.14-205.00
located at 24 Houston Street,
Dewey Beach, DE from
Resort Business-2 (RB-2) to
Resort Residential (RR)

INDEX

1. GIR Properties, LLC Re-Zoning Letter Request
2. Dewey Beach Code Provisions
3. Proposed Re-Zoning and Lot Re-configuration
4. Dewey Beach Zoning Map
5. Sample Home Plans

Tab 1

GIR Properties, LLC
c/o Vincent C. Thomas
1000 North King Street
Wilmington, DE 19801

January 31, 2024

To whom it may concern:

Thanks for considering the potential rezoning of Tax Parcel 334-20.14-205, Lots 15-16-17 Blk 42 in Rehoboth by the Sea, Dewey Beach, Delaware (the "Sea Esta Property"). I write as a representative of GIR Properties, LLC ("GIR"), a Delaware limited liability company.

GIR currently has a binding contract (the "Contract") to purchase the Sea Esta Property. The Contract is contingent upon the successful rezoning of the Sea Esta Property from a single 100' x 150' Lot with a zoning designation of RB2 (as defined in the Town of Dewey Beach code) to 3 50' x 100' Lots with zoning designations of RR (as defined in the Town of Dewey Beach code) within 4 months of the Contract date (i.e., December 8, 2023). GIR would like to rezone the property so that it can build 3 single family homes in accordance with an RR zoning designation. Quite notably, the Sea Esta Property is the only remaining parcel on the ocean block of Houston Street with a zoning designation of RB2. Put simply, the new 3 single family homes and the RR zoning designation would be more consistent with the character of the surrounding properties.

GIR would like to immediately pursue rezoning of the Sea Esta Property so that it can obtain all necessary rezoning approvals on or before March 31, 2024 inside of the Contract diligence expiration date.

Please accept this as our formal request to begin the rezoning process for the Sea Esta Property. We are happy to address any questions.

Respectfully,

/s/ Vincent C. Thomas

Vincent C. Thomas

Tab 2

§ 185-3 **Purpose.**

The zoning regulations and districts as herein established are designed to promote the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the Town of Dewey Beach, Delaware. These interests may be promoted by restricting the height, number of stories and size of buildings and other structures; the percentage of lot area that may be occupied; the size of yards, courts, and open spaces; the density of development; and the location, use and extent of use of buildings, structures, and land for residential, trade, industry and other purposes by creating districts for said purposes and by establishing boundaries for such districts; by providing for a Board of Adjustment, and by imposing penalties for the violation of the Zoning Ordinance. This chapter is adopted to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sanitation, sewerage, schools, parks, recreation and other public requirements. Such regulations shall be made with reasonable consideration as to the character of each zoning district and its suitability for particular uses with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town.

§ 185-73 Changes and amendments.

A. Initiation of change. The Town Commissioners may, from time to time, amend, supplement, or change, by ordinance, the boundaries of the districts or the regulations herein established. Any such amendment may be initiated by resolution of the Town Commissioners or by petition of any property owner addressed to the Town Commissioners. Petitions for change or amendment shall be on forms and filed in a manner prescribed by the Town Commissioners.

B. Report from the Planning Commission.

(1) Before taking any action on any proposed amendment, supplement, or change, the Town Commissioners shall submit the same to the Planning Commission for its recommendations and report, unless, by unanimous vote, the Town Commissioners present decide that the change proposed is not significant.

(2) The Planning Commission shall report within 120 days after the first meeting of the Planning Commission after the proposal has been referred to the Planning Commission, provided further that a one-time extension of up to 60 days may be requested in writing by motion of the Planning Commission to the Town Commissioners, who shall grant the request, unless the Town Commissioners find the request to be arbitrary or capricious. In order to finalize a report on the proposal, said report or request for extension shall be given at the next Town Commissioners meeting after the end of the time period or extension period. Failure of the Planning Commission to report within the time frames specified above shall be deemed a recommendation of approval.

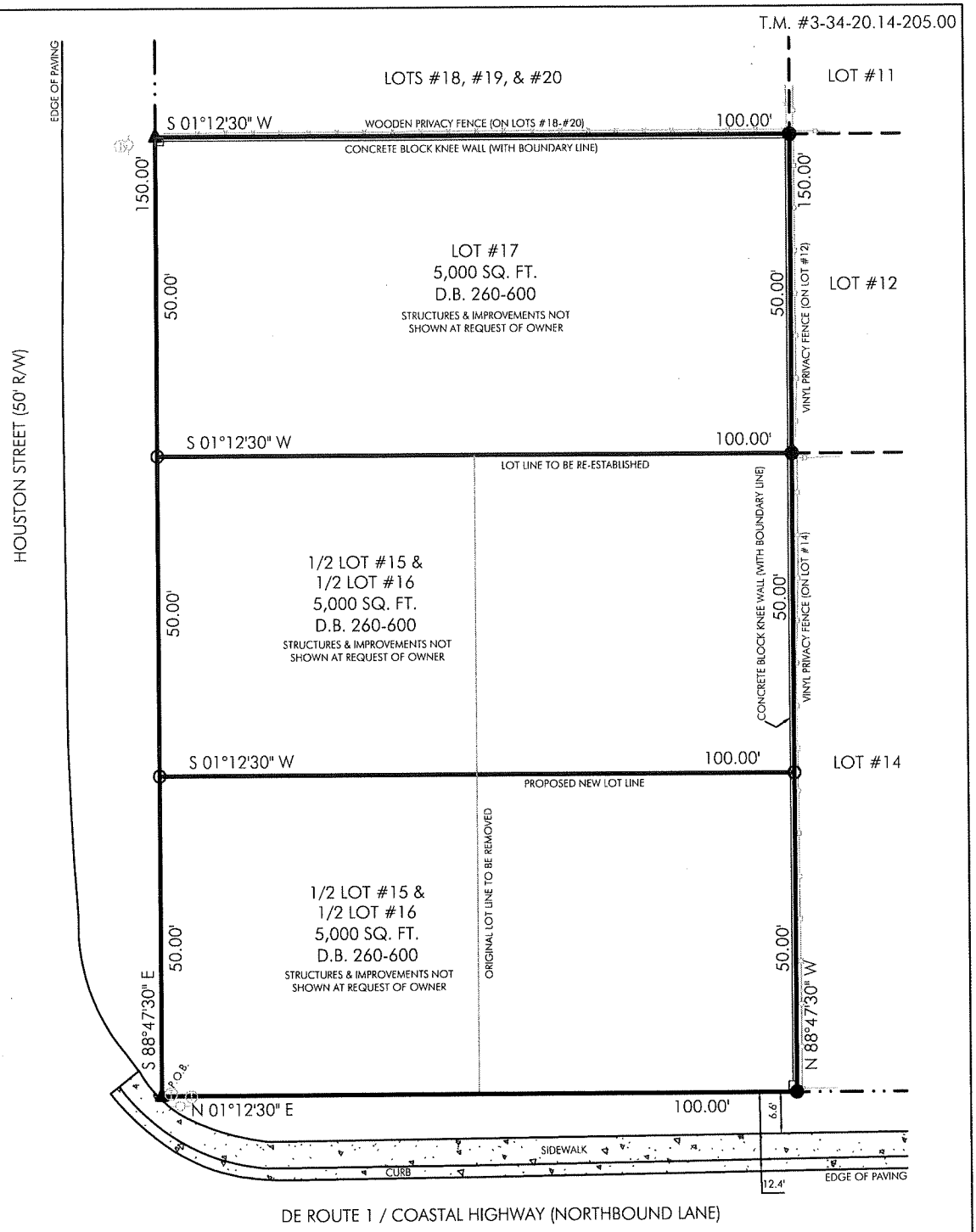
C. Notice and hearings.

(1) The Planning Commission shall hold a public hearing on any proposed amendment, supplement, or change before submitting its report to the Town Commissioners and for this purpose may request the submission of all pertinent data and information by any person concerned.

(2) Before acting on any proposed amendment, supplement or change, the Town Commissioners shall hold a public hearing thereon in accordance with 22 Del. C. § 304.

D. Reconsideration; one-year limitation. Whenever a petition requesting an amendment, supplement, or change has been denied by the Town Commissioners, such petition, or one substantially similar, shall not be reconsidered sooner than one year after the previous denial.

Tab 3



P.B. 56-186

LEGEND:

- ● IRON PIPE (FOUND)
- ▲ IRON ROD (SET)
- ⊙ POINT

NOTES:

ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT THE TOWN OF DEWEY BEACH TO VERIFY.

PARCEL RESIDES IN FLOOD ZONE: AO (2' DEPTH) F.I.R.M.: 10005C0354K, JUNE 20, 2018

THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.

NO TITLE SEARCH PROVIDED OR STIPULATED.

SURVEY CLASS: SUBURBAN

BOUNDARY SURVEY PLAN & PROPOSED RE-CONFIGURATION OF LANDS FOR

GIR PROPERTIES, LLC

TOTAL AREA: 15,000 SQ. FT.

DEED REFERENCE: BOOK 1530, PAGE 347

LOTS #15, #16, & #17 OF

"REHOBOTH BY THE SEA" SUBDIVISION

TOWN OF DEWEY BEACH

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

DECEMBER 28, 2023 SCALE: 1" = 20'

Prepared by:

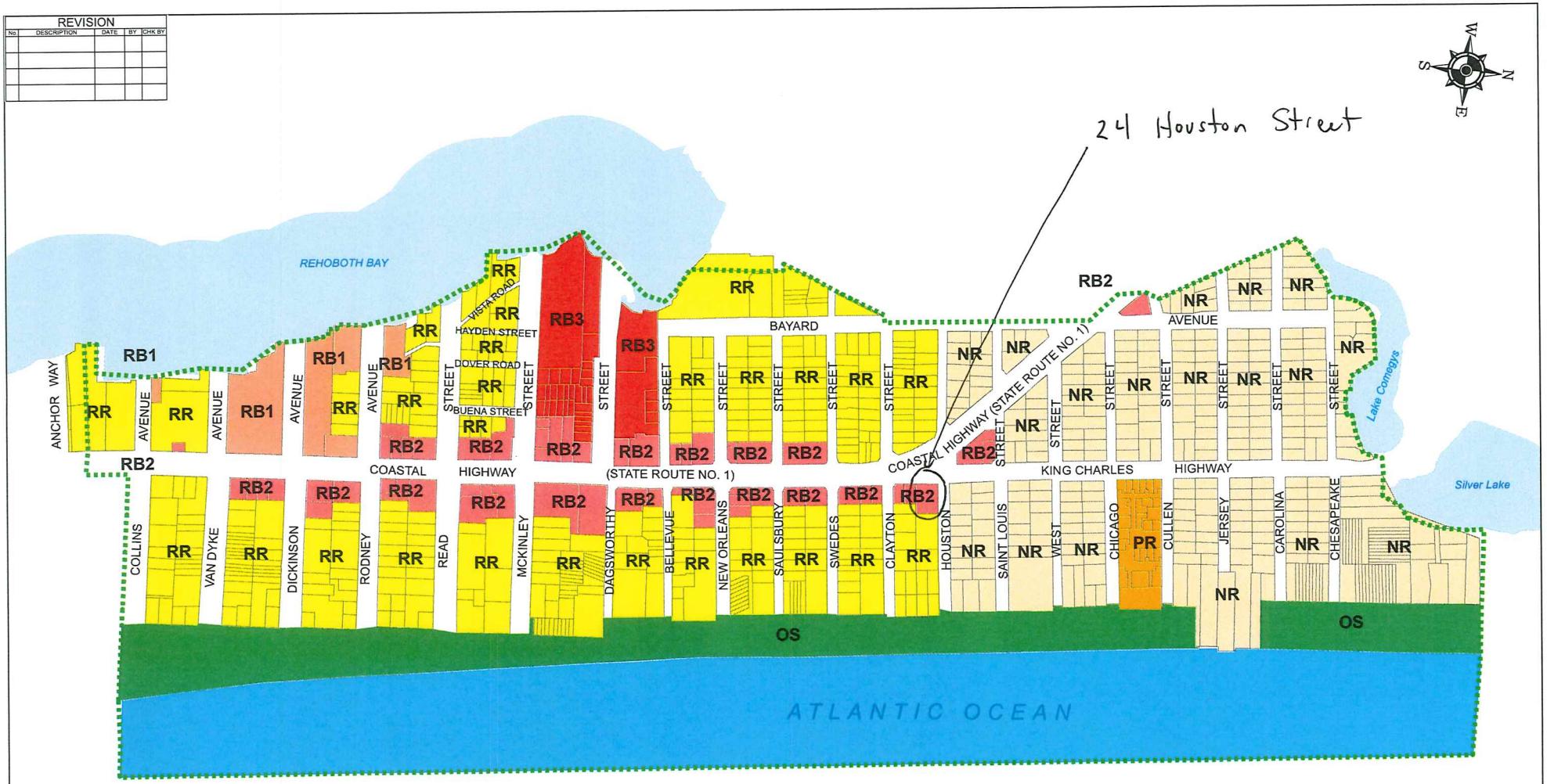
FORESIGHT Services

Surveying & Precision Measurement

302 226 2229 phone 302 226 2239 fax 2103A Coastal Highway Dewey Beach, DE 19971

Tab 4

REVISION				
No.	DESCRIPTION	DATE	BY	CHK BY



Legend

- Municipal Boundary
- Lakes Ponds and Major Rivers
- Ocean Water

Zoning and Code

- Neighborhood Residential - NR
- Open Space - OS
- Planned Residential - PR
- Resort Business 1- RB1
- Resort Business 2 - RB2
- Resort Business 3 - RB3
- Resort Residential - RR

1 inch = 200 feet

0 125 250 500 750 1,000 Feet

General Notes and Data Sources:

This Geographic Information System (GIS) Zoning map is for demonstration purposes only, any use of this product with respect to accuracy and precision shall be the sole responsibility of the end user.

The areas, boundaries and details, shown on this Zoning map, are referenced, in part, from ground surveys, aerial surveys and recorded plans, tax assessment maps and documents, and are to be used for Zoning boundary purposes only.

This map was created, in part, utilizing parcel, municipal boundary and location data provided by the Sussex County, DE Geographic Information Office.

Additional cadastral feature mapping data, such as, waterways, roadways, railroads, aerial orthophotography, etc. was obtained from the Delaware FirstMap, provided by the Delaware Office of State Planning Coordination (DOSPC) https://stateplanning.delaware.gov/about/gis-data.shtml. This secondary product has not been verified by the Delaware Office of State Planning Coordination (DOSPC) and is not state-authorized.

All positions are based on the following:
- NAD 83 (horizontal datum)
- Delaware State Plane Coordinate System
- English units (feet)

The geodetic accuracy and precision of the Geographic Information System (GIS) data contained in this mapping has not been developed nor verified by a professional licensed land surveyor and shall not be nor is intended to be used in matters requiring delineation and location of true ground horizontal and/or vertical controls.

Printed On: May 2, 2023

DEWEY BEACH MUNICIPAL ZONING

DEWEY BEACH

SUSSEX COUNTY DELAWARE

DECEMBER 9, 2022 SCALE: 1" = 200'

REMINGTON & VERNICK ENGINEERS
2939 SPRINGDALE ROAD, CHERRY HILL, NJ 08003
(856) 795-9595, FAX (856) 795-1882, RVE.COM
Excellence • Innovation • Service

Document Path: P:\GIS Projects\DE\Sussex County\Dewey Beach\Zoning\120922022_ZONING_24x36_LABELS.mxd

Tab 5









[redacted]

[redacted]

39529 Waterworks Court Bethany Beach
DE 19930
302.228.2331

[redacted] - Beach Cottage

108 Cullen Street
Dewey Beach , DE 19930

Project Number: Project Number

Drawings and Specifications as instruments of service are and shall remain the property of the Building Designer. They are not to be used on extensions of the project, or other projects, except by agreement in writing and appropriate compensation to the Building Designer.

The General Contractor is responsible for confirming and correlating dimensions at the job site. The Building Designer will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the project.

© Greenroom Consultants, LLC

ISSUED:

2021.03.09 - Permit Plan

2021.03.21 - Permit Plan Revisions @ Ground Floor

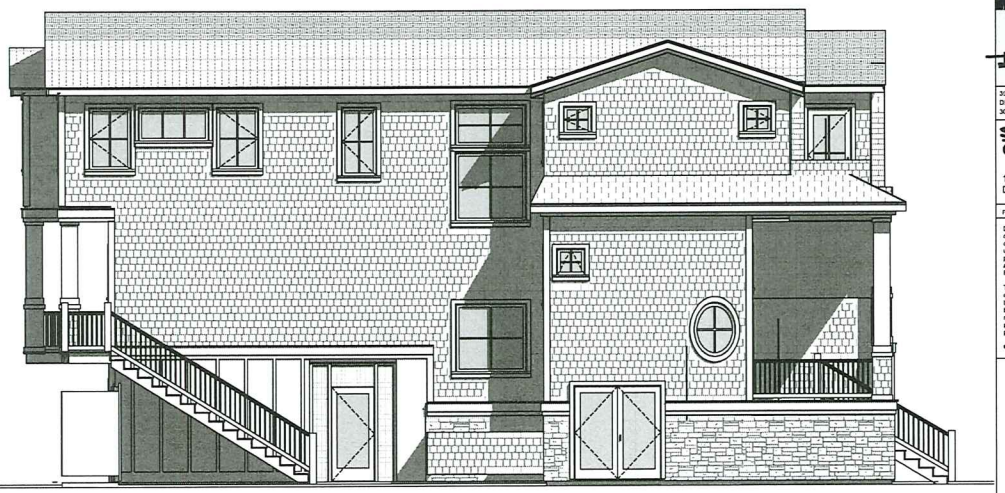
3D Views

A002

Printed: 3/22/2021



2 A201 North Elevation
SCALE: 1/4" = 1'-0"



3 A201 East Elevation
SCALE: 1/4" = 1'-0"



1 A201 West Elevation
SCALE: 1/4" = 1'-0"



4 A201 South Elevation
SCALE: 1/4" = 1'-0"

39826 Waterworks Court Bethany Beach
DE 19930
302.228.2331

- Beach Cottage

108 Cullen Street
Dewey Beach , DE 19930

Project Number: Project Number

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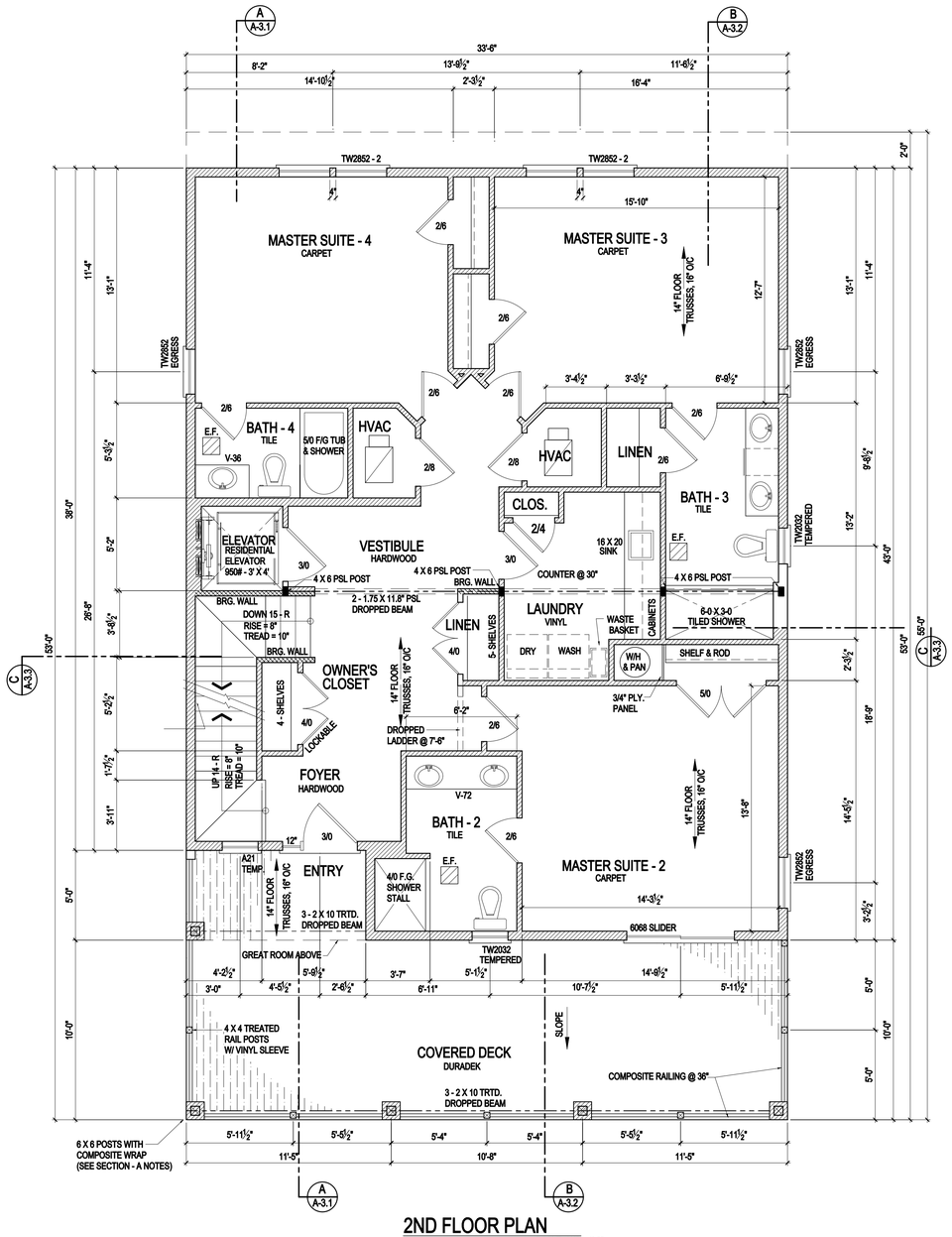
© Greenroom Consultants, LLC

ISSUED:
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2021.03.21 - Permit Plan -Revisions @ Ground Floor

Elevations

A201

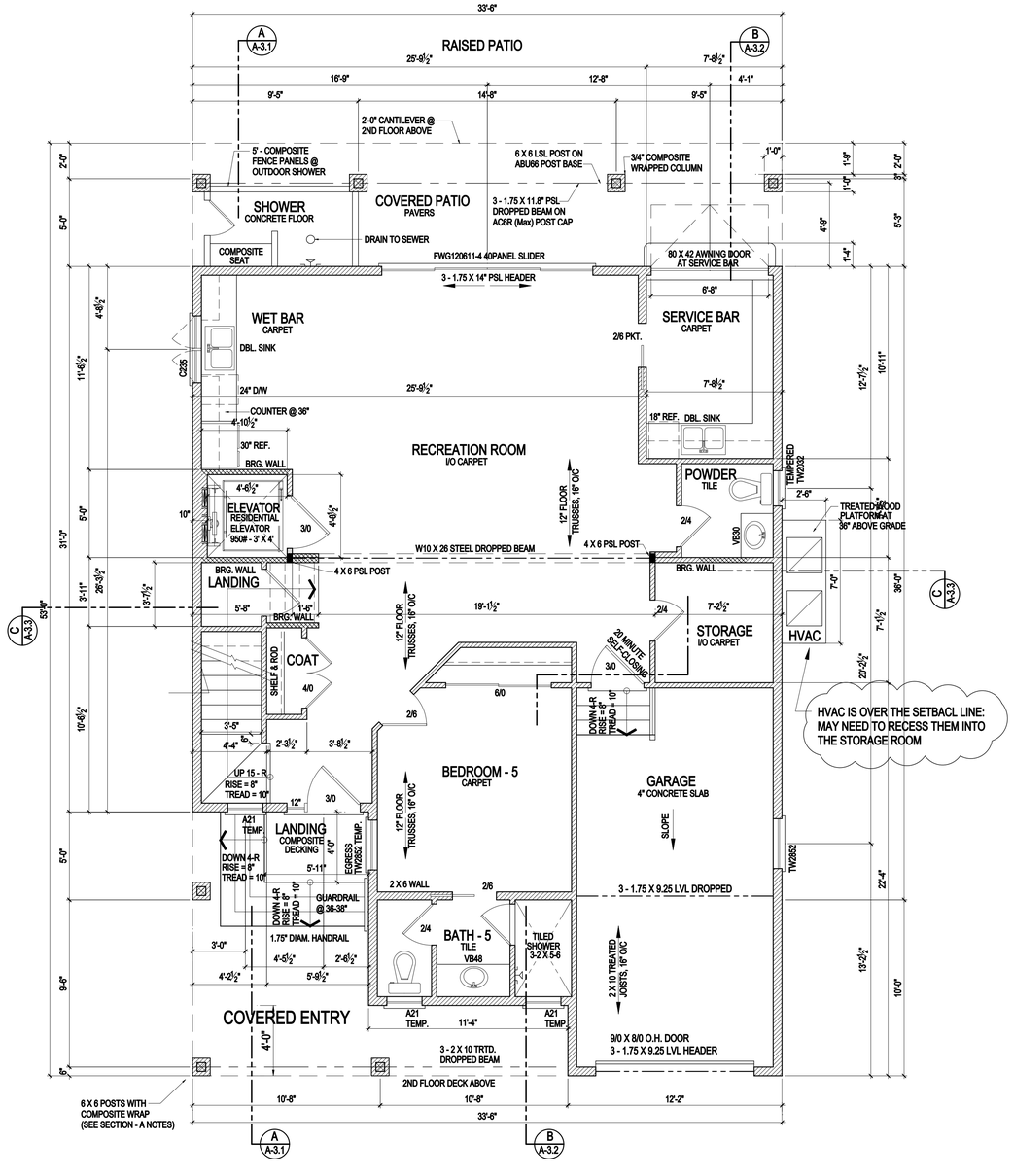
Printed: 3/22/2021



2ND FLOOR PLAN

1326 SF 2ND
3804 SF TOTAL

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



1ST FLOOR PLAN

1102 SF 1ST
3804 SF TOTAL

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

PRINT DATE:
5/20/2021

PRINT DATE:
5/20/2021

REVISIONS

PLAN PREPARED BY:
ARCHITECTURAL
DRAFTING & DESIGN, LLC
AUTOCAD BUILDING PLANS
M.T. MOLYNEUX
GREENWOOD, DE 19950
302.253-8535
mtmdesign@comcast.net

TAX PARCEL ID: 3-34-20.14-258.00

HOME PLAN:
PERNA RESIDENCE
32 SAULSBURY STREET, DEWEY BEACH, DELAWARE

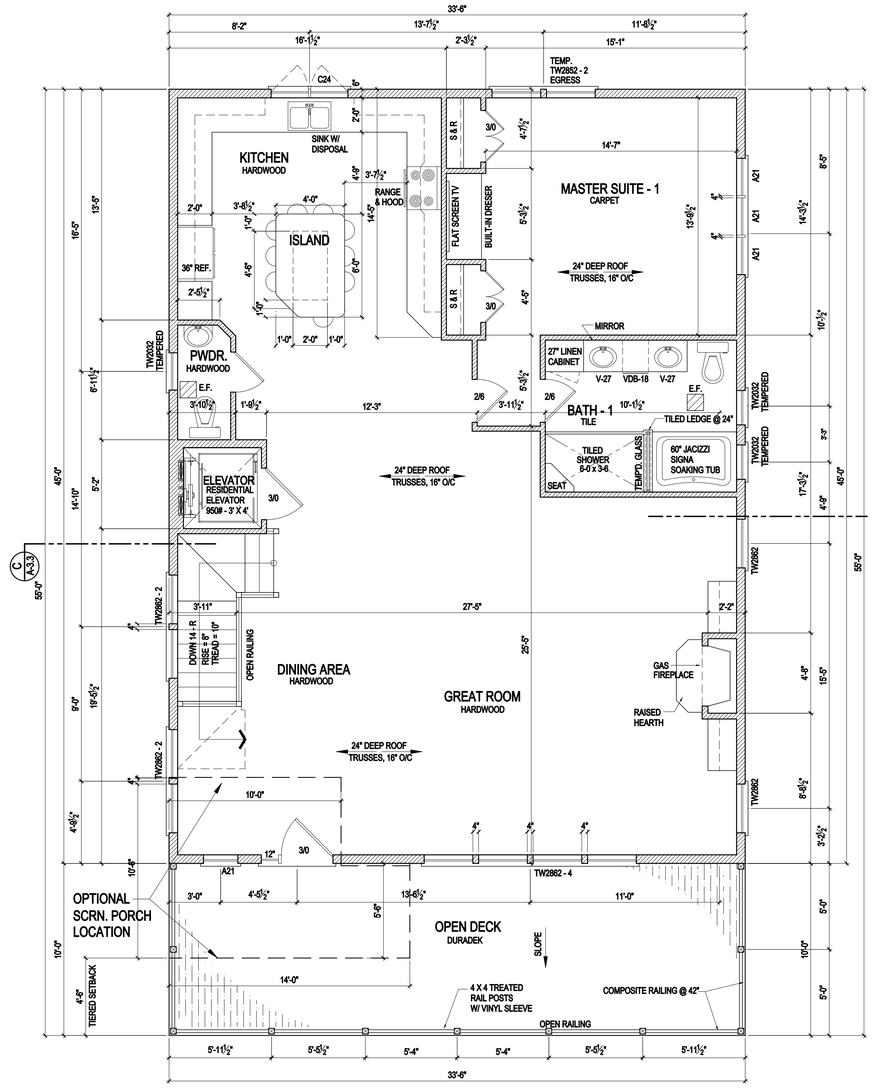
DATE:
5/20/2021
SCALE:
1/4" = 1'-0"
DRAWN:
MOLYNEUX
SHEET TITLE
1ST FLOOR PLAN
2ND FLOOR PLAN

SHEET NO.
A-1.1



FRONT ELEVATION

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



3RD FLOOR PLAN

1376 SF 2ND
3804 SF TOTAL

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

PRINT DATE:

REVISIONS

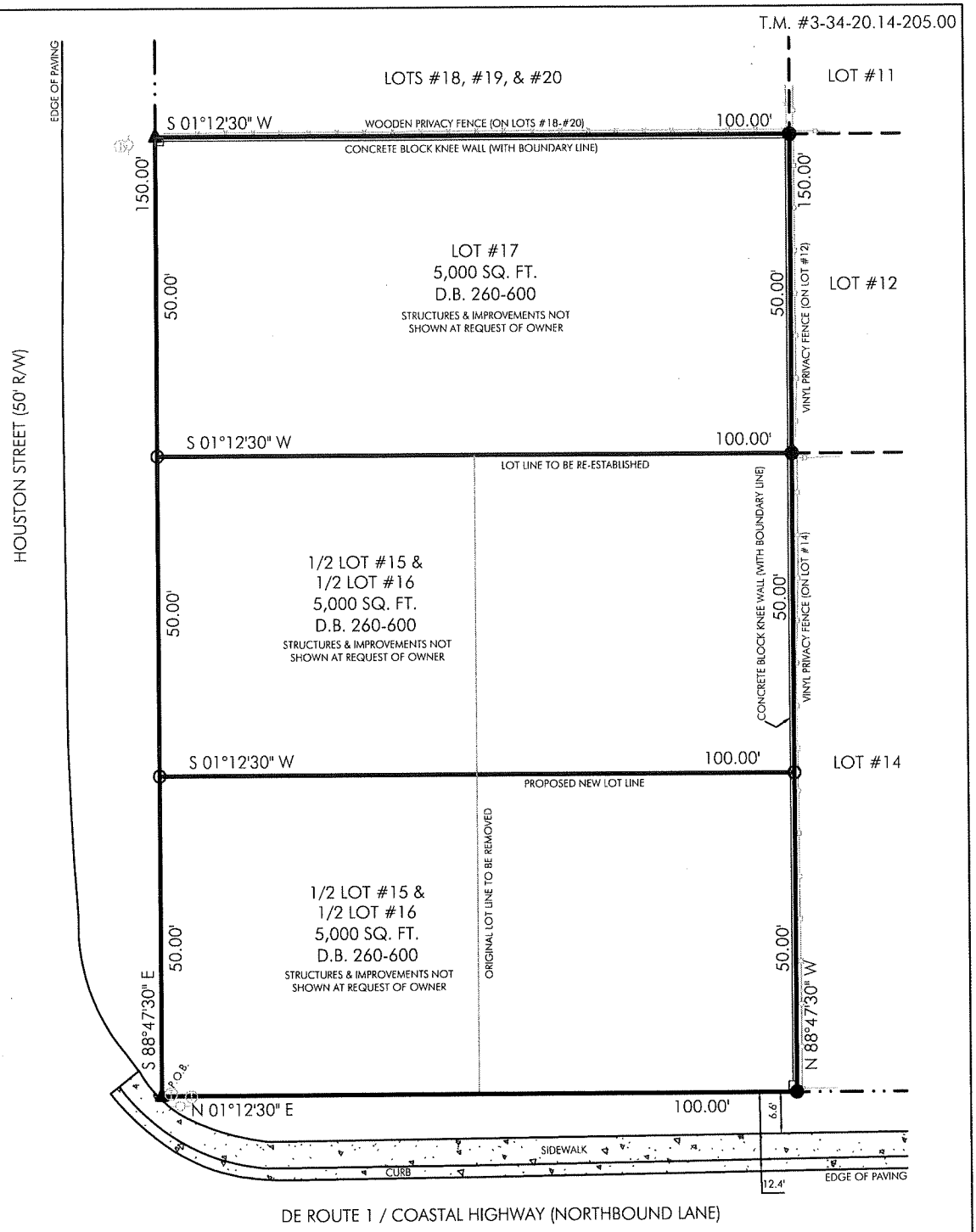
PLAN PREPARED BY:
ARCHITECTURAL DRAFTING & DESIGN, LLC
ATTENTION: MELISSA MOLYNEUX
M.T. MOLYNEUX
OWNER/DESIGNER
302.253.8535
mtmdesign@comcast.net

TAX PARCEL ID: 3-34-20.14-258.00

HOME PLAN:
PERNA RESIDENCE
32 SAULSBURY STREET, DEWEY BEACH, DELAWARE

DATE: 5/20/2021
SCALE: 1/4" = 1'-0"
DRAWN: MOLYNEUX
SHEET TITLE: 3RD FLOOR PLAN / FRONT ELEVATION

SHEET NO.
A-1.2



P.B. 56-186

LEGEND:

- ● IRON PIPE (FOUND)
- ▲ IRON ROD (SET)
- ⊙ POINT

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TOTAL AREA: 15,000 SQ. FT.

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TOWN OF DEWEY BEACH

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

DECEMBER 28, 2023 SCALE: 1" = 20'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2229 phone 302 226 2239 fax 2103A Coastal Highway Dewey Beach, DE 19971

PUBLIC PRE CHECK Results for State Parcel(s): 334-20.14-205.00

DE FIRM: Issues Found

WRPA: No Issues Found

Well Head Protection Areas: No Issues Found

Underground Storage Tanks: No Issues Found

Tax Ditch Segments: No Issues Found

Tax Ditch ROWs: No Issues Found

Soils - Sussex County: No Issues Found

Aglands Preservation Districts: No Issues Found

Soils - New Castle County: No Issues Found

SIRB Project Areas: No Issues Found

Park Facilities: No Issues Found

Ocean Area No Build Points: No Issues Found

Bay Area No Build Line: No Issues Found

Land and Water Conservation Fund: No Issues Found

Delaware Ecological Network: No Issues Found

Soils - Kent County: No Issues Found

Wetlands: No Issues Found

This report is designed to be printed on Letter ANSI A (8.5" X 11") Portrait Paper

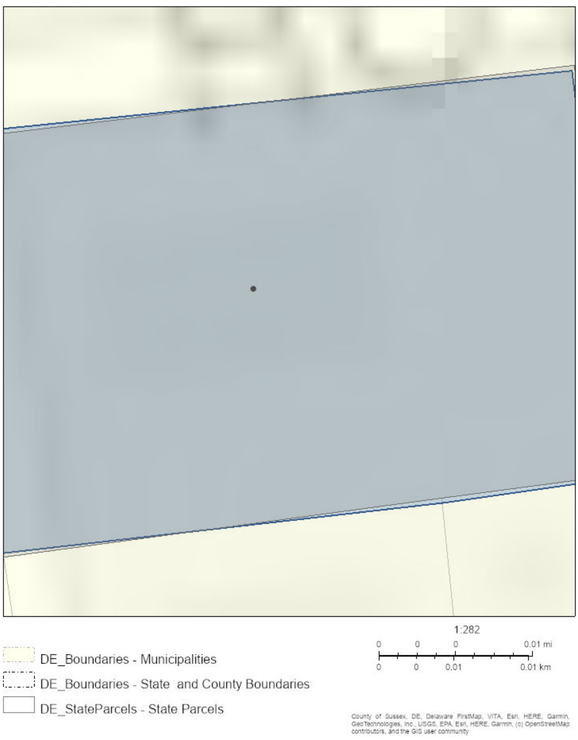
Print Close

Screening Report

Area of Interest (AOI) Information

Area : 15,065.38 ft²

Jan 30 2024 15:59:01 EST



Enter comments here

Summary

Name	Count	Area(ft²)	Length(ft)
DE PLUS Project Areas	0	0	N/A
DE_StateParcels - State Parcels	1	15,065.38	N/A
Delaware Historic Markers 2.0	0	N/A	N/A
Aglands Preservation Districts	0	0	N/A
SIRB Project Areas	0	0	N/A
Underground Storage Tanks	0	N/A	N/A
Delaware Ecological Network	0	0	N/A
Land and Water Conservation Fund	0	0	N/A
Bay Area No Build Line	0	N/A	0
Ocean Area No Build Points	0	N/A	N/A
Soils Kent County	0	0	N/A
Soils New Castle County	0	0	N/A
Soils Sussex County	1	15,065.38	N/A
Tax Ditch Maximum ROWs	0	0	N/A
Tax Ditch Segments	0	N/A	0
2017 High Water Mark (not regulatory)	0	N/A	0
2017 High Marsh (not regulatory)	0	0	N/A
2017 Low Marsh (not regulatory)	0	0	N/A
2017 Wetlands (not regulatory)	0	0	N/A
Recharge Areas	0	0	N/A
Class A Wellhead 150ft Radius	0	0	N/A
Class A Wellhead	0	0	N/A
Class A Wellhead Transient, Non-Community Wells	0	0	N/A
Class A Wellhead Non-Transient, Non-Community Wells	0	0	N/A
WRPA Class B Wellhead	0	0	N/A
WRPA Class C Wellhead	0	0	N/A
Cockeysville	0	0	N/A
Cockeysville Drainage Basin	0	N/A	0
Erosion Prone Soils	0	0	N/A
WRPA Floodplains	0	0	N/A
Base Flood Elevation	0	N/A	0
Transect	0	N/A	0
Cross Sections	0	N/A	0
Stream Centerline Segments	0	N/A	0
FEMA Flood Maps	2	15,065.42	N/A
Preliminary FEMA Flood Maps	0	0	N/A

DE_StateParcels - State Parcels

#	PIN	Acres	Area(ft²)
1	334-20.14-205.00	0.35	15,065.38

Soils Sussex County

#	SOILNAME	Area(ft²)
1	Acquango-Urban land complex, 0 to 5 percent slopes	15,065.38

FEMA Flood Maps

#	DFIRM_ID	Area(ft²)
1	10005C	15,065.42

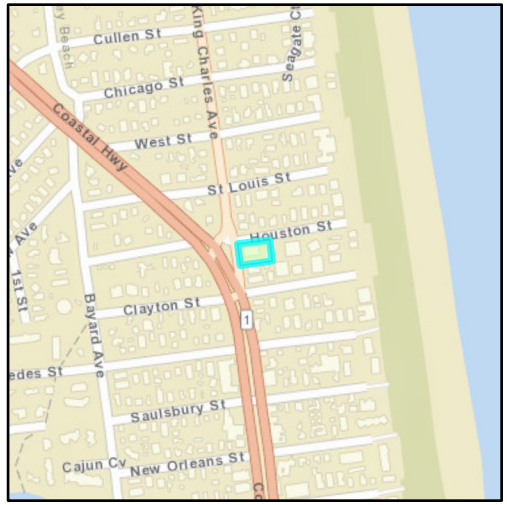
Preliminary Land Use Service (PLUS)

2024-02-04 Sea Esta Dewey Beach Rezoning



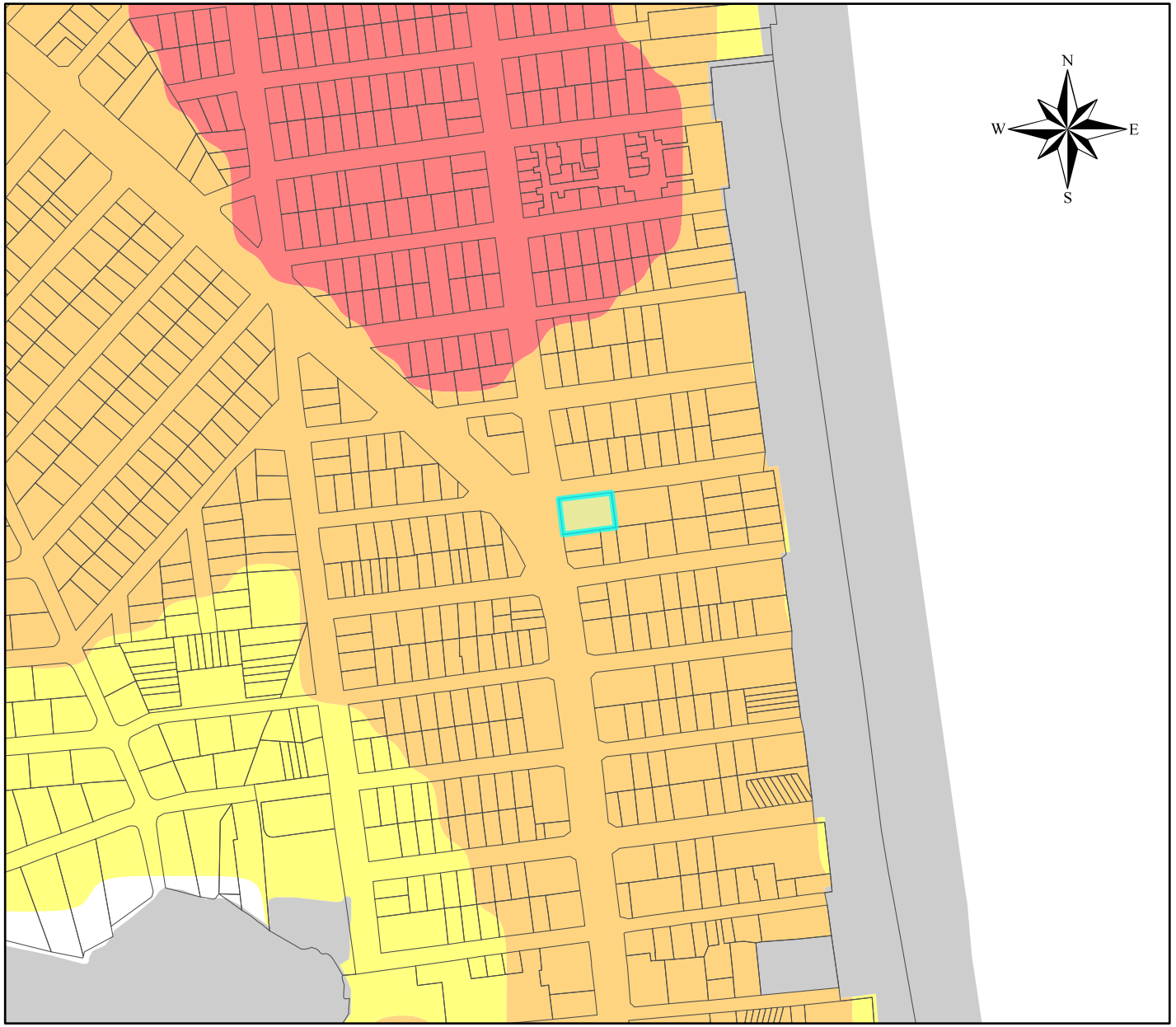
Legend

PLUS Project Areas



Preliminary Land Use Service (PLUS)

2024-02-04 Sea Esta Dewey Beach Rezoning



Legend

PLUS Project Areas

2020 State Strategies

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

