

**WHEATLEY FARMS, INC.
19115 FREELAND LANE
BRIDGEVILLE, DE 19933
302-337-7286**

August 5, 2024

Town of Bridgeville
Planning & Zoning Department
Bethany DeBussy, Town Manager
302-337-7135

REF: TM#131-18.00-22.00, 28.00 & 35.00

REF: TM #131-19.00-8.00 P/O 8595 Cannon Road, Bridgeville, DE 19933 AKA "Kenny Williams Farm"

To Whom It May Concern;

This letter shall serve as an explanation and/or reasoning in reference to separating a lot/portion of land from a larger parcel of farmland owned by Wheatley Farms Incorporated.

This parcel of land was purchased by Wheatley Farms Incorporated from Kenneth and Lana Williams. The following is a date driven timeline of events from the purchase date:

- 1- July 30, 1999--Contract entered between Wheatley Farms Incorporated and Williams Farms Estate
- 2- September 8, 1999—settlement with Williams Farms Estate
- 3- June 20, 2001—purchase date between Kenneth and Lana Williams for parcel TM#131-19.00-8.00, which is a larger tract of farmland, adjacent to the Williams Estate property. This parcel also contains improvements of an existing 1988 mobile home and a 37'3" X 60'6" barn. The property also provided a dirt lane route 18 access to the mobile/barn area. The aforementioned structures were located 281'49" +/-, in a northerly direction into the farm field from route 18.
- 4- February 6, 2002—DelDot entrance permit #R-51-02 to Wheatley Farms Incorporated was approved and a culvert was installed on route 18 at the entrance of the dirt lane access area.
- 5- February 12, 2003—A State of Delaware title for the 1988 DERE mobile home, 8373 Bowden's Garage Road, Seaford, DE., was issued to Wheatley Farms Incorporated.
- 6- 2006—Allen Rocks agreement with Wheatley Farms Incorporated constituted the need to request the annexation of this parcel to the Town of Bridgeville limits.

- 7- August 31, 2006—Wheatley Farms Incorporated, by letter, requested the Town of Bridgeville to consider all the aforementioned Tax Map numbers be included in the request to establish the Heritage Shores South Residential Planned Community.
- 8- December 15, 2006—Town of Bridgeville Annexation
- 9- October 8, 2010—Letter from Wheatley Farms Incorporated to the Town of Bridgeville requesting a zoning change for the aforementioned Tax Map parcels to Agricultural-Industrial Overlay Zone (AIOZ).
- 10- January 13, 2011—letter issued by the Town of Bridgeville to Wheatley Farms Incorporated for the approval of the prior zoning change request.
- 11- 2010—first Town of Bridgeville property tax assessment invoice/payment
- 12- March 23, 2015—Land Preservation designation granted to Wheatley Farms Incorporated for these parcels—all parcels hereinafter are referenced by TM #131-19.00-8.00- with a 911 address for the mobile home/barn area to be 8595 Cannon Road, Bridgeville, DE 19933.
- 13- March 2021—Wheatley Farms Incorporated demolished and disposed of the 1988 DERE mobile home.
- 14- August 31, 2021—Wheatley Farms Incorporated entered into a sales agreement with Kevin Mier for the purchase of a portion of land that included the existing barn. The amount of land is to be determined later due to possible requirements/restrictions imposed by either/or Town of Bridgeville, State of Delaware Land Preservation or State of Delaware, Sussex County.
- 15- December 7, 2021—phone conversations and emails took place from 8/31/2021 to this date with State of Delaware Land Preservation (law offices of Parkowski, Guerake and Swayze, Mike Parkowski and William Denman) to receive assurance that no restrictions or regulations would be in violation pertaining to the sale of the proposed parcel.
- 16- March 26, 2024—preliminary survey drafted by Miller Lewis Incorporated identifying 16,238 sq ft (approximately 0.37 acres +/-) issued for consideration. This survey was taken to the Town Office and presented to Bethany DeBussy, Town Manager.

As you can see by the timeline provided, much activity has taken place since this property was acquired by Wheatley Farms Incorporated. No Officers or employees have utilized the mobile home or barn. Over the years, many individuals have used the improvements as housing and/or as a garbage dump and once discovered by us or reported to us by neighbors, it has been our burden to remove individuals and take care of the necessary cleanup and disposal of trash left behind. When approached by Mr. Mier with the request to purchase the barn, it was decided by the officers of the Corporation to consider this option so the upkeep and responsibility would no longer be a responsibility for the Corporation. Mr. Mier was also assured that his access to the property and barn will be guaranteed by a permanent easement for use of the farm dirt lane entrance on route 18 since the Corporation intends to retain ownership of the farm dirt lane access.

This assurance will be stated in the deed document presented at settlement. Many, many discussions have taken place between our Corporate legal firm, Moore and Rutt, PA and the legal representatives of the Town of Bridgeville since the Mier contract date of August 31, 2021 in attempts to discover, disclose and satisfy all legal ramifications involved with this transaction.

It has been our intention from the beginning of this process that all rules, regulations, and restrictions, from any and all parties involved, be addressed and will be in compliance to the best of our ability before settlement can take place. With the information as stated, we, the officers of the Corporation, feel that the current zoning should be adequate to meet the needs of the potential buyer, Kevin Mier, and should not require any other consideration at this time. Mr. Mier has been informed and understands that if he wants any changes to the property or barn from the time of settlement forward, it will be his responsibility to investigate the rules and regulations of the Town of Bridgeville that may impact his request.

I have attached the following items to this letter of request for your information and review:

- 1-Town of Bridgeville Initial Project Review Application-Form 1-2 pages
- 2-Town of Bridgeville Variances, Conditional Use Approval & Zoning Change Application
This form is blank since it is unclear if a zoning change will be necessary
- 3-proposed diagram land use area circa 2003 showing barn/mobile/dirt road access as shown from Bowden's Garage Road-Cannon Road
- 4-ariel google image circa 2008 showing no changes to the property
- 5-ariel google image circa 2023 showing the mobile home no longer on the property

As the Secretary/Treasurer of the Corporation I am submitting this letter and all attachments for your consideration and approval of our requests along with our corporate check #27142 in the amount of Five Hundred dollars and no cents, (\$500.00) for the required application fee. I have been informed by Bethany DeBussy that the next scheduled Town of Bridgeville meeting is August 20, 2024 and I am planning to attend.

Respectfully submitted,

WHEATLEY FARMS INCORPORATED



Gail Wheatley
Secretary/Treasurer



The Town Of
Bridgeville
 If You Lived Here, You Would Be Home Now

Initial Project Review Application- Form 1

Property Information

Sussex Co. Tax Map/Parcel: 131-19.00-8.00 (PO)
 Project Location: NW RT 18 8595 Cannon Rd., Bridgeville DE 19933
 Project Size/Dimensions: 16,238+/- sq ft (approximately .3 acres) includes 37' 3" x 60' 6" barn
 Project Title/Name: K. Williams Barn
 Current Zoning (if applicable): R/1 w A/R overlay
 Current Property Use: unused barn - farmland, outside of this area, is farmed
 Proposed Use (if applicable): For Sale
 Proposed Use (if applicable):

Applicant Information

Applicant (Company) Name: Wheatley Farms Inc
 Contact Person: Gail Wheatley
 Phone Number: 302-337-7286 Email Address: Lynda@wheatleyfarms.com
 Mailing Address: 19115 Freeland Lane, Bridgeville, DE 19933
 Other/Comment:

Property Information

Applicant (Company) Name: Same as above
 Contact Person:
 Phone Number: Email Address:
 Mailing Address:
 Other/Comment:

Engineer/Surveyor Information

Company Name: Miller Lewis Inc
 Contact Person: Don Miller
 Phone Number: 302-629-9895 Email Address: DonMiller@millerlewisinc.com
 Mailing Address: 1560 Middleford Rd., Seaford DE 19973
 Other/Comment: * copy of Preliminary survey handed to Bethany at Town Office *

Contractor Information

Company Name: Not applicable
 Contact Person:
 Phone Number: Email Address:
 Mailing Address:
 Other/Comment:

****DIGITAL SUBMISSION PREFERRED****

*No more than 5 copies, if you submit hard copies.

<u>Request to Review</u>	<u>Town Code Section(s)</u>	<u>Application Form Required</u>
Zoning Certificate	234-20	Form 2
Water Service Connection	190-78, 228-1 to 16, 234-66 to 67	Form 2
Sign Permit	234-76 to 85	Form 2
Building Permit	96-3, 148, 132, 205	Form 2
Occupancy Permit	234-21	Form 2
Minor Development Plan	234-22	Form 3A
Major Development Plan	234-22	Form 3B
Variance	234-23	Form 4
Conditional Use	234-24, 118, 205	Form 4
Zoning Change	1-4, 234-93 to 96	Form 4
Residential Planned Community	234-38	Form 5
Annexation	234	Form 6

Please read the following and certify:

- 1) I understand that the designated primary contact on this project will receive all meeting information/correspondence and will be billed for professional consulting services rendered by Town Engineer/Planner/ and/or the Town Solicitor as required for my application.
- 2) I understand and hereby certify that, I have supplied all the information listed on this form and that statements contained in any papers or plans submitted as part of this application are true and correct to the best of my ability.
- 3) I certify that this project will be in accordance with the plan requirements, the Comprehensive Plan, Land Use and Development Code as well as the Construction Design Standards for the Town of Bridgeville.
- 4) I further certify that I or an agent on my behalf will attend all public hearings/meetings necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, health, safety, morals, convenience, order, property, and general welfare of the inhabitants of Bridgeville.
- 5) I also certify that all Town of Bridgeville, Sussex County, State of Delaware, and Federal requirements, codes, and laws will be adhered to.
- 6) I understand that incomplete applications will not move forward in the review process.
- 7) It is understood that the Town of Bridgeville processes applications in the order in which they are received. Each complete application will be presented at the necessary hearings/meetings after eligibility and the appropriate reviews have been completed. Seven days' notice of the hearing/meeting will be provided to the primary contact.
- 8) All application fees must be paid at the time of application submission. The application fee schedule is in Chapter 128 of the Code of the Town of Bridgeville.

Designated Primary Contact: Gail Wheatley, Secretary/Treasurer of Wheatley Farms, Inc.

Signature of Applicant (s): *Gail Wheatley Secretary/Treasurer*

Dates 8/1/2024

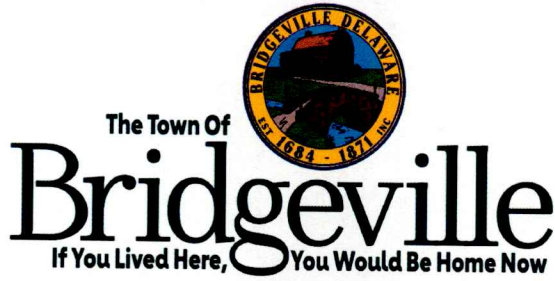
Signature of Property Owner (s) _____

Date 8/1/2024

Town Assigned Project Review Application Number: _____

Received by: *[Signature]*

Received Date: 8/6/2024



N/A

VARIANCES, CONDITIONAL USE APPROVAL & ZONING CHANGE APPLICATION 4

Applicant (Company) Name: Wheatley Farms Inc
Contact Person: Gail Wheatley
Project Title/Name: K Williams Barn
Town Assigned Project Review Application number (from Form 1): _____

Applicant Request

Variance For _____
 Conditional Use Approval For _____
 Zoning Change For _____

Required Information

The Application information must be submitted in writing to the Administrator with this application:

- Statement of the type of relief, permission, or review requested.
- Information about the property for which the application or review is being made.
- Narrative providing information to support the application including the provisions of Chapter 234 and a statement as to how the application complies with those provisions.
- Plans or drawings that support or clarify the relief or permission requested.
- Information requested by the Board or information that may support this application.

The burden of proof is on the applicant. AN applicant for an administrative review, variance, conditional uses, or Zoning change shall have the burden of presenting the information needed by the Board to decide.

Reference Town Code Chapters 234-23, 234-24, and 234-93 for a complete description of the required information and process.

Applicant Signature

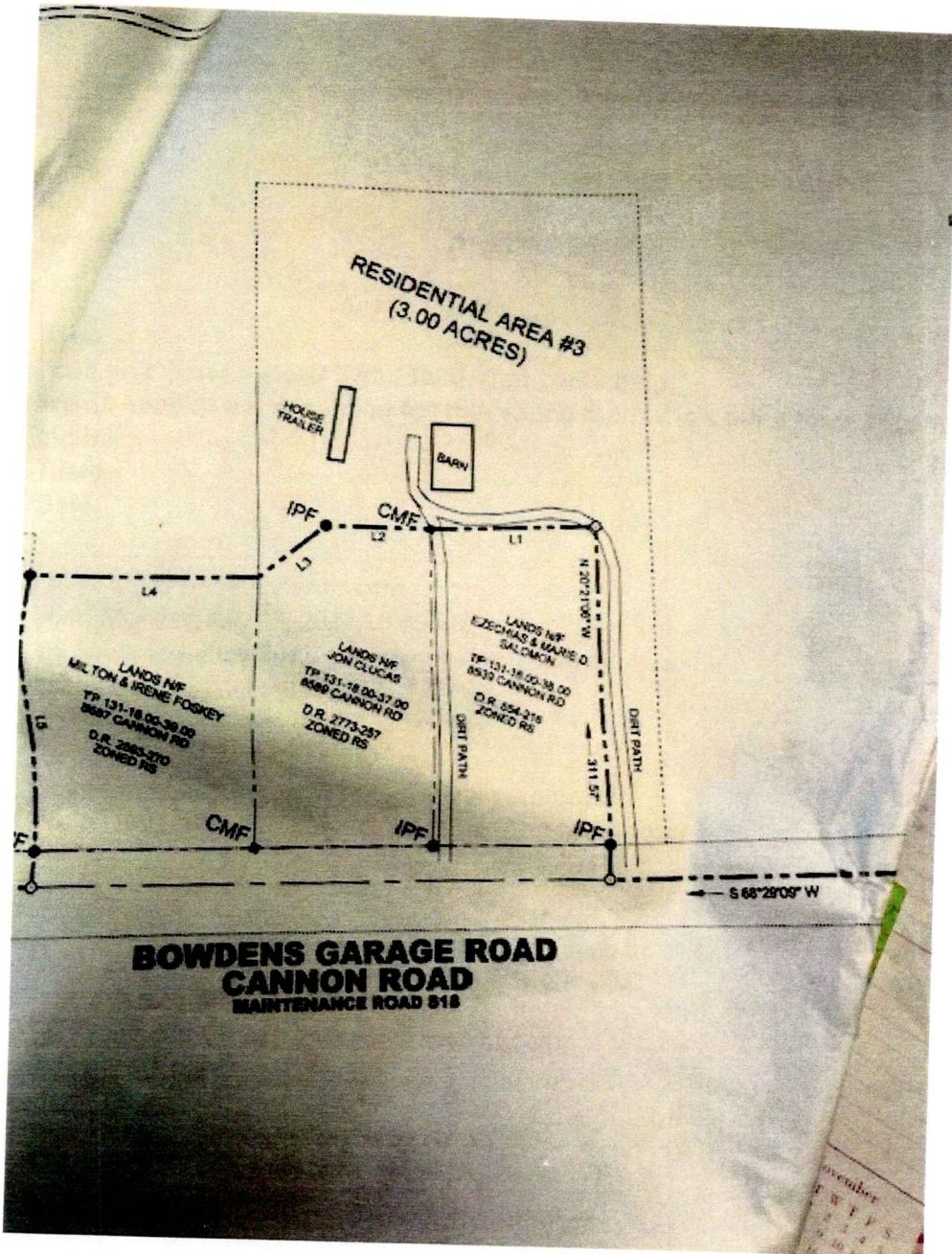
The Applicant & property owner understand that all certifications on Form 1, the Initial project review application continue to apply.

Signature of Applicant

Date of Applicant (s) 8/1/2024
Print Name (s) Gail Wheatley, Secretary/Treasurer
Date Signed 8/1/2024

Gail Wheatley Secretary / Treasurer

Date Form 4 Received by Town: 8/1/2024
Reviewed By: [Signature]





Pointer 33°41'53.07" N 75°35'41.46" W elev 33 ft

Streaming [|||||] 100%

Eye alt 669 ft

Page #3 item #4



FOSKEY
MILTON
IRENE

CHURCH
OF
PROPHECY
OF BETHEL
INC

18

CADIZ
MARIA V

HALEY
JOHN
M SR

JEFFERSON
THOMAS
E-JR

TINGLE
ALISON

JONES
ROBERT

Clearbrooke Blvd

Highland Dr East

18

BELL
SCOTT C

Page #3 item #5