



**TOWN OF ELSMERE**

**MINOR SUBDIVISION APPLICATION**

<p><u>Definition of a Minor Subdivision:</u></p> <p>All division of land into five (5) or fewer residential lots upon which building can occur or the adjustment of property lines to permit the expansion of an existing structure shall be approved and reviewed as a minor subdivision under the procedures and regulations below. Subdivisions of five (5) lots or fewer, which involve any new street or road, shall be reviewed and approved as major subdivisions. All division of land into commercial or industrial lots where no new streets or other public improvements are involved shall be reviewed and approved as minor subdivisions.</p>	
Petition Number: <u>16-19</u>	Date Petition was Filed: <u>10/14/2016</u>
Subject Properties Address: <u>241 Dumont Road</u> <u>Wilmington, DE 19804</u>	Tax Parcel Number: <u>19-005.00-232</u>
Applicants Name: <u>Michael S. Isaacs, Esq.</u>  Applicants Address: <u>919 N. Market St. Suite 300</u> <u>Wilmington, DE 19804</u>  Applicants Phone Number: <u>302-622-4213</u>  Applicant Relationship to the Owner: <u>Attorney</u>	Property Owners Name: <u>PennyMac Holdings, LLC</u>  Property Owners Address: <u>241 Dumont Rd.</u> <u>Wilmington, DE 19804</u>  Phone Number: _____  Relationship to the Owner: _____
Reason for the requested Subdivision: <u>Please see attached cover letter attached</u> <u>hereto and made a part of this application.</u>	

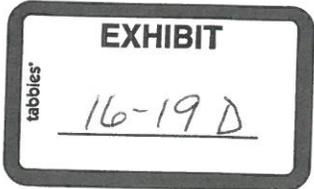
**The Following Information Must be Submitted With This Application. Failing to Submit Any of the Information Listed Below Will Result in the Applications Status Being Incomplete and no Further Action Will be Taken Until All of the Information Listed is Submitted.**

**Please Check The Items Which Are Enclosed:**

1.  An affidavit of ownership, which shows the book and page number of each conveyance to the present owner as, recorded in the County Recorder of Deed's offices.
2.  A reproducible original and twenty-five (25) copies of a subdivision plan drawn to convenient scale [one (1) inch equals twenty (20) feet through one (1) inch equals one hundred (100) feet] and showing date, scale and North point. Each sheet shall be numbered to show its relation to the total number of sheets. The subdivision plan shall include the following information:
3.  A title consisting of the name of the fee simple or equitable owners (s) of the land to be subdivided, the name(s) and address(es) of the sub divider (s) if different than the owner(s) name and address of the Delaware registered engineer, land surveyor or architect. The subdivision plan shall bear the certificate, signature and seal of a Delaware registered engineer, land surveyor or architect.
4.  A graphic and written scale along with date, including the month, day and year that the original ground was completed and the month, day and year that the original drawing was revised.
5.  A location map drawn to the scale of one (1) inch equals eight hundred (800) feet indicating the location of the property and its relationship to all streets and other property within one thousand (1,000) feet of the applicant's property.
6.  The total area of parcel in acres.
7.  The courses and distances of the boundary line survey on all properties being subdivided.
8.  The proposed name of the subdivision, which shall not duplicate the name of any other subdivision in the town.
9.  The layout and dimensions of all proposed lots, which will be created by I the subdivision.
10.  The names of all property owners of un-subdivided property within two hundred (200) feet of the extreme limits of the subdivision as their names appear in the tax records. In the event that lots adjoin the land to be subdivided, the subdivision name and lot number of the adjoining lot shall be shown. The zoning classification governing the tract and adjoining properties shall be shown.

**Please Check The Items Which Are Enclosed:**

11. \_\_\_\_\_ The location of all existing and proposed watercourses and natural drainage flows and the location and size of storm sewers and other related storm water facilities, which may influence the design of the subdivision.
12. \_\_\_\_\_ The location of the open floodway district and floodway fringe, applicable.
13. \_\_\_\_\_ The location, widths and names of all existing roads upon which the proposed subdivision will front and within one hundred (100) feet of the proposed subdivision.
14. \_\_\_\_\_ Contour lines at vertical intervals of two (2) feet for land with average natural slope of four (4) feet or less and at intervals of five (5) feet for land with average natural slope exceeding four percent (4%).
15. \_\_\_\_\_ Location of proposed landscape screening, if applicable.
16. \_\_\_\_\_ The general location of mature tree stands, if any.
17. \_\_\_\_\_ The location and size of existing and proposed waterlines which serve the proposed subdivision.
18. \_\_\_\_\_ The location and size of existing and proposed sanitary sewers which serve the proposed subdivision.
19. \_\_\_\_\_ Location of all proposed sidewalks.
20. \_\_\_\_\_ The dimensions and area of all property to be dedicated or reserved for public open space use or to be dedicated for use of all property owners in the subdivision and the location, dimensions and purpose of any proposed easements, if applicable.
21. \_\_\_\_\_ Proposed parking areas and number of parking spaces, where applicable.
22. \_\_\_\_\_ The approximate location of proposed buildings and the amount of land to be used for buildings expressed as a percentage of total land area, if applicable. The location of existing buildings and a description of their present or intended use.
23. \_\_\_\_\_ The North point, the phrase "Minor Subdivision Plan" and the phrase "Town of Elsmere, Christiana Hundred, New Castle County, Delaware.



Has a previous application for subdivision of this property ever been filed?

Yes \_\_\_\_\_ No , If yes, Petition # \_\_\_\_\_

THE UNDERSIGNED HEREBY CERTIFIES THAT THE LEGAL OWNER OF THE SUBJECT PROPERTY IS AWARE OF AND AGREES TO THE FILING OF THIS APPLICATION AND THAT THE INFORMATION OBTAINED HEREIN IS CORRECT.

NOTE: IF THE APPLICANT IS NOT THE LEGAL OWNER OF THE PROPERTY, THE LEGAL OWNER OR HIS AUTHORIZED REPRESENTATIVE MUST ALSO SIGN THIS FORM.

Applicant's Signature: [Signature] Date: 10/13/16

I, \_\_\_\_\_ BEING THE LEGAL OWNER OF THE SUBJECT PROPERTY, HEREBY CERTIFY THAT THE INFORMATION PROVIDED HEREIN IS CORRECT.

Legal Owner's Signature: [Signature] Date: 10/13/16

Fee Schedule:

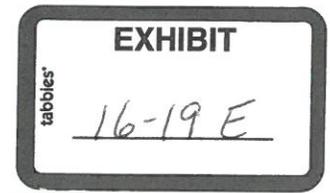
- 1. Application Fee:
 

\$300.00 Residential \$ 500.00 Non-residential	=	1.	<u>\$300.00</u>
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  - 2. Review Fee for each lot
 

\$20.00 for each residential.	\$20.00 X <u>1</u>	=	2a. <u>\$20.00</u>
\$40.00 for each non-residential.	\$40.00 X _____	=	2b. _____
  - 3. Recordation Fee (optional, may be performed by applicant):
 

\$331.00 per application	\$331.00 X 1	=	3. <u>\$331.00</u>
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- Total Application Fee Due: Add 1, 2a, 2b, and 3. = \$651.00

Received By \_\_\_\_\_ Date \_\_\_\_\_  
Name of the Town Official Receiving the Application Fee Date Received



Fox Rothschild LLP  
ATTORNEYS AT LAW

Citizens Bank Center  
919 North Market Street, Suite 300  
P.O. Box 2323  
Wilmington, DE 19899-2323  
Tel 302.654.7444 Fax 302.656.8920  
www.foxrothschild.com

October 14, 2016

Town of Elsmere  
11 Poplar Avenue  
Elsmere, DE 19805

Attn: Town Manager, Mr. John Giles

RE: Minor Subdivision Add-On Plan for 241 Dumont Road, Wilmington, DE 19804  
New Castle County Tax Parcel No. 19-005.00-232

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Dear Town of Elsmere:

A recent survey of the above property revealed a permitted, two car, detached garage encroached along the rear lot line onto lands of the Town of Elsmere.

The township has agreed to convey a small portion of land to the property owner to correct the encroachment.

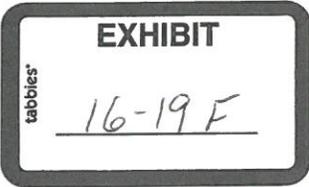
We submit the attached Minor Subdivision Add-One Plan, prepared by The PELSA Company and dated October 7, 2016 for review and approval so that the portion of lands necessary to cure the defect can be annexed to 241 Dumont Road, bearing Tax Parcel No. 09-005.00-232.

Respectfully submitted,

  
Michael J. Isaacs, Esq.

A Pennsylvania Limited Liability Partnership

California    Colorado    Connecticut    Delaware    District of Columbia  
Florida    Nevada    New Jersey    New York    Pennsylvania



AFFIDAVIT OF OWNERSHIP

241 DUMONT ROAD, WILMINGTON, DE 19804

STATE OF DELAWARE :
NEW CASTLE COUNTY : SS

I, Jeremy Dewey, a VP Member of Pennymac Holdings, LLC, a Limited Liability company of the State of Delaware, does hereby affirm and acknowledge that PENNYMAC HOLDINGS, LLC is the legal owner of the property known as:

241 Dumont Road, Wilmington, DE 19804

All right, title and interest in above property was convey by virtue of a Deed in Lieu of Foreclosure by Mark A. Snook, dated January 12, 2016 and recorded in the Office of the Recorder of Deeds, in and for New Castle County and State of Delaware in Deed Instrument No. 20160408-0016405. A copy of the Deed is attached for your ease of reference.

Pennymac Holdings, LLC

By: [Signature]
Name:
Title:

(SEAL)

SWORN TO and SUBSCRIBED TO, before me, this day of October, 2016.

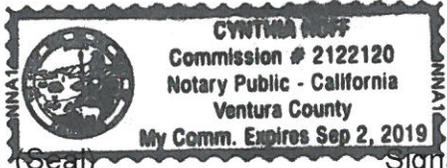
[Signature]
Notary Public
My Commission expires:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Ventura

Subscribed and sworn to (or affirmed) before me on this 14  
day of Oct, 2016, by Jeremy Dewey,

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature [Handwritten Signature]

Tax Map. #1900500232

Prepared by and Return to:  
Alba Law Group, P.A.  
11350 McCormick Road  
Executive Plaza III, Suite 200  
Hunt Valley, Maryland 21031

20160408-0016405  
Pages: 2 F: \$65.00  
04/08/16 12:31:44 PM  
T20160011561  
Michael E. Kozikowski  
New Castle Recorder DEE

THIS DEED-IN-LIEU OF FORECLOSURE, made this 12 day of JAN. in the year of our LORD twenty-sixteen,

BETWEEN,

MARK A. SNOOK, Party of the First Part

AND

PENNYMAC HOLDINGS, LLC, Party of the Second Part

WITNESS, The said Party of the First Part, for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the Party of the Second Part, its successors and assigns,

ALL that certain piece, parcel or lot of land with the dwelling thereon erected, known as 241 Dumont Road situate in ROSEMONT, Town of Elsmere, Christiana Hundred, New Castle County, State of Delaware, being Lot No. 29, Block D, as shown on the plot of Rosemont, and being more particularly bounded and described in accordance with a recent survey by A.E.S. Surveyor dated December 29, 2006, as follows, to-wit:

BEGINNING at a point in the northeasterly side of Dumont Road, at 50 feet wide, a corner for Lots 28 and 29, Block D, and distant 912.41 feet measured in the northeasterly and southeasterly direction along the westerly, northerly and northeasterly side of Dumont Road, the various courses thereof from the northerly end of a 20 foot radius intersection curve joining the westerly side of Dumont Road with the northerly side of Taylor Road, at 50 feet wide; thence from said point of Beginning by Lot 28, Block D, North 63 degrees 40' 29" East 100 feet to a point; thence by other lands of the party of the first part, South 12 degrees 05' 18" East, 88.54 feet to a point, thence by Lot 30, Block D, North 87 degrees 51' 05" West, 100 feet to a point in the easterly side of Dumont

Road, thence thereby in a northerly direction by a curve to the left having a radius of 80 feet, an arc distance of 39.76 feet to the place of Beginning. Be the contents thereof what they may.

SUBJECT to a covenant to pay such annual sewer charges, including annual service charges as may be assessed from time to time by the Levy Court of New Castle County, which covenant shall be deemed Pullela and Baldini Builders Inc. and the Levy Court of New Castle County, dated December 6, 1954 and recorded in the Office of the Recorder of Deeds in and for New Castle County, in Deed Record W, Volume 55, Page 168.

SUBJECT TO any and all easements, restrictions, reservations, rights of way, covenants, conditions and agreements of record but omitting any covenants and restrictions based upon Race, Color, Religion, Sex, Handicap, Familial Status or National Origin.

AND BEING the same land and premises conveyed unto Mark A. Snook by deed of Thomas P. Pantano and Ronald E. Snook, dated January 12, 2007 and of record in the office of the Recorder of Deeds in and for New Castle County and State of Delaware, in Instrument Number 20070130-0010119.

Grantee's Address: 241 Dumont Road, Wilmington, DE 19804.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal, the day and year aforesaid.

SEALED AND DELIVERED  
IN THE PRESENCE OF

[Signature]  
Witness

[Signature] (SEAL)  
MARK A. SNOOK

STATE OF Delaware SS  
COUNTY OF Newcastle

BE IT REMEMBERED, That on this 12 day of January in the year of our LORD, twenty-sixteen, personally came before me, the Subscriber, Mark A. Snook, party to this Indenture, known to me personally to be such, and he acknowledged this Indenture to be his Act

GIVEN under my Hand and Seal of office, the day and year aforesaid.

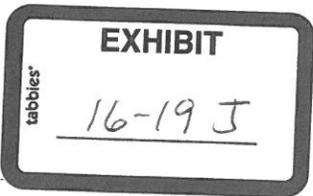
[Signature]  
Notary Public



My Commission expires: 09.02.2019



No. 16-41  
Amount \$ EXEMPT  
Date 4-8-16  
[Signature]  
County Tax Collector



**Parcel # 1900500232**

Property Address: 241 DUMONT RD  
 WILMINGTON, DE 19804-  
 Subdivision: ROSEMONT  
 Owner: PENNYMAC HOLDINGS LLC  
 241 DUMONT RD  
 Owner Address:  
 WILMINGTON, DE 19804  
 Municipal Info: Incorporated in ELSMERE PROPERTY TAX AREA

Lot #: 29	Property Class: RESIDENTIAL
Location:	Lot Size: 0.15
Map Grid: 09803560	Lot Depth: 100
Block: D	Lot Frontage: 39.80
Census Tract: 124.00	Street Finish: SIDEWALK
Street Type: FEEDER	
Water: PUBLIC	
Microfilm #: 000000	

**District & Zoning Info**

Districts

- **FIRE/RESCUE - ELSMERE**
- **RED CLAY SCHOOL DIST-TRES**
- NORTH OF C&D CANAL
- COUNCIL 1 - KENNETH R WOODS
- ADD REQ PER SEC 10.3.4.4 DSSR
- SEWER DISTRICT NORTHERN-ASMT
- TRAFFIC ZONE T083 (YR2000)
- DE SEN 07-PATRICIA M BLEVINS
- PLANNING 8 - LOWER CHRISTINA
- DE REP 13-JOHN L MITCHELL JR

Zoning

- 19R1 - ONE FAMILY DWELLING

Owner	Deed	Current Owner?	Multi?	Sale Date	Sale Amount
PANTANO THOMAS P & CHRISTOPH	469 204	N	N	12/1/1986	\$55,500.00
PANTANO THOMAS P	955 6	N	N	11/7/1989	\$1.00
PANTANO THOMAS & SNOOK RONALD	2446 139	N	N	5/21/1998	\$10.00
SNOOK MARK A	20070130 0010119	N	N	1/12/2007	\$10.00
PENNYMAC HOLDINGS LLC	20160408 0016405	Y	N	1/12/2016	\$1.00

**Tax/Assessment Info**

Assessment

Land: 9800  
 Structure: 40800  
 Homesite: 0  
 Total: 50600  
 County Taxable: 50600  
 School Taxable: 50600

Tax Bills as of 10/13/2016 3:03:24 AM

Tax Year	County			School		
	Principal Due	Penalty Due	Amt Paid	Principal Due	Penalty Due	Amt Paid
2010A	\$0.00	\$0.00	\$170.36	\$0.00	\$0.00	\$922.94
2011A	\$0.00	\$0.00	\$173.46	\$0.00	\$0.00	\$912.32
2012A	\$0.00	\$0.00	\$173.94	\$0.00	\$0.00	\$901.69
2013A	\$0.00	\$0.00	\$172.94	\$0.00	\$0.00	\$956.85
2014A	\$0.00	\$0.00	\$173.60	\$0.00	\$0.00	\$973.70
2015A	\$0.00	\$0.00	\$172.99	\$0.00	\$0.00	\$1,082.33
2016A	\$0.00	\$0.00	\$172.56	\$0.00	\$0.00	\$1,180.14

Tax Payments as of 10/13/2016 3:03:24 AM

Date Paid	Amt Paid
9/1/2010	\$1,093.30
9/6/2011	\$1,085.78
9/10/2012	\$173.94
9/10/2012	\$901.69
8/12/2013	\$1,129.79
9/18/2014	\$1,147.30
9/17/2015	\$1,255.32
9/27/2016	\$1,352.70
County Balance Due: \$0.00	
School Balance Due: \$0.00	

These amounts are valid through the last day of the month. For accounts with delinquent balances, statutory penalty will accrue on the first day of next month.

Sewer History as of 10/13/2016 3:04:13 AM

Tax Year	Principal Due	Penalty Due	Date Paid	Amount Paid
2007S1	\$0.00	\$0.00	11/15/2007	\$406.53
2008S1	\$0.00	\$0.00	2/6/2008	\$237.00
2008S5	\$0.00	\$0.00	3/18/2009	\$182.33
2009S1	\$0.00	\$0.00	4/4/2011	\$513.95
2010S1	\$0.00	\$0.00	4/9/2012	\$510.93
2011S1	\$0.00	\$0.00	6/3/2014	\$555.50
2012S1	\$0.00	\$0.00	7/3/2014	\$729.58
2013S1	\$0.00	\$0.00	3/1/2016	\$614.71
2014S1	\$0.00	\$0.00	3/1/2016	\$587.76
2015S1	\$0.00	\$0.00	3/1/2016	\$470.15
2016S1	\$0.00	\$0.00	3/1/2016	\$493.67

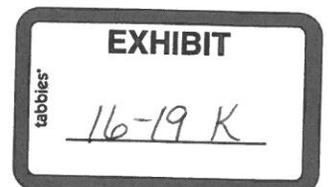
Balance Due: \$0.00

These amounts are valid through the last day of the month. Statutory penalty will accrue on the first day of next month.

Residence Characteristics

Residence 0

Building Design: RANCH	Residence Class: SFD PLATTED LOT
Grade: AVERAGE	Condition: AVERAGE
Year Built: 1955	# Stories: 1
Total Area (sq. ft.): 1575	Main Floor Area: 1140
# Rooms: 7	# Bedrooms: 3
# 1/2 Baths: 0	# Full Baths: 1
# Fam. Rooms: 1	# Fixtures: 5
Roof Type: GABLE	Roof Material: ASPHALT
Exterior Wall: BRICK	Interior Wall Finish: PLASTER
Floor Finish: WOOD	Foundation: CONTINUOUS
Garage Capacity: 0	Basement %: 75%
Basement % Finished: 50%	Basement Finish Type: OPEN FIN FL,WAL & CE
Attic % Finished:	
Unfinished %:	Unfinished Area: 0
Heat Type: HOTWATER	Air Conditioning: AIR CONDITIONING
Remodel Year: 0	







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& LYNCH, INC.**  
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WILMINGTON, DE 19802-1901  
(302) 764-7635 FAX (302) 764-4170  
www.vandemarklynch.com

**MEMORANDUM**

Project No. 18012.84

TO: John S. Giles, Jr.  
Town Manager – Town of Elsmere

FROM: Stephen H. Rosenfeld, P.E. *SR*

RE: **241 Dumont Road, Rosemont**  
**Tax Parcel 19-005.00-232**  
**Minor Subdivision**

Date: October 20, 2016

As requested, we have reviewed the plan submitted in support of the minor subdivision of the referenced parcel. The plan consists of one (1) sheet prepared by the Pelsa Company, dated October 7, 2016. The plan was received in our office on October 18, 2016.

The purpose of the plan is to transfer land from Rosemont Park to the subject tax parcel in order to correct garage, driveway, and fence encroachments into the park.

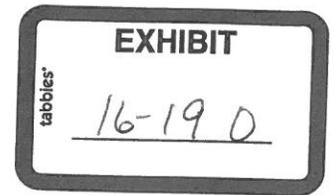
We offer the following comments:

1. The existing concrete driveway encroaches onto the property at 243 Dumont Road (tax parcel 19-005.00-231). The applicant should explain how this encroachment will be rectified.
2. The subject parcel contains two existing nonconformities in addition to the encroachments: (1) the existing house and garage are located within the 10' side yard setback; (2) the lot coverage exceeds 30%. These existing nonconformities will not be worsened through the subject application (the lot coverage percentage will decrease), and we assume these existing nonconformities can continue per Section 225-31 of the Zoning Code, provided that the house and garage were constructed with appropriate building permits.
3. Section 196-22.A.1.c.12 of the Subdivision and Land Development Code requires elevation contours be shown on the plans. Since no construction is proposed with this subdivision, we have no technical objection to the Town waiving this requirement.

**EXHIBIT**

tabbles

16-19 N



Memorandum to John S. Giles, Jr.

**RE: 241 Dumont Road**

October 20, 2016

Page 2 of 2

4. The plan should be titled "Minor Subdivision Plan" per Section 196-22-A.1.c.21 of the Subdivision and Land Development Code .
5. Notes not applicable to projects in the Town of Elsmere should be removed from the plan. Specifically, the New Castle County application number, and notes 17, 18, 23, 25, 26, and 27 should be removed from the plan.
6. The legend should include the symbol labeled "CPS". Iron pins or appropriate corner markers should be set at the new property corners.
7. Signed owners certifications should be provided on the final plan.

If you have any questions, or require clarification on any of these comments, please call.

**Cynthia Pfirrmann**

**From:** Kyle Bendler <KBendler@biuinc.com>  
**Sent:** Tuesday, October 18, 2016 3:59 PM  
**To:** John Giles  
**Cc:** Cynthia Pfirrmann; Melissa Faedtke  
**Subject:** 241 Dumont

John,

An application for a "minor subdivision" was received for Elsmere Building Committee review. The owners of subject parcel #19-005.00-232, (known as parcel A) seek to combine said parcel with 0.063 acres of parcel 19-005.00-226, (ownership Town of Elsmere, known as parcel B). Please note the following:

1. Parcel A is currently 0.141 acres or 6142 sq. ft.
2. Parcel A is currently 66% or 4044 sq. ft. Covered with impervious surfaces.
3. If the subdivision is approved parcel A will be 0.204 acres or 8886 sq ft with an impervious coverage of 45% or 4044 sq. ft.
4. If the subdivision is approved parcel B will be reduced from 3.394 acres to 3.331 acres.
5. Parcel A will remain existing non-conforming in regards to lot coverage, however a substantial reduction in lot coverage will occur. Parcel A will also remain non-conforming in regards to the side yard setback, as both sides are less than 10'.

Note: A survey for analysis purposes was not provided on parcel B.

Conclusion;

The Building Committee of the Town of Elsmere has no objection to this subdivision request, as it substantially reduces the non-conformity of Parcel A.

Please contact me with questions or concerns.

Regards,

Kyle N. Bendler, CBO  
Building Inspection Underwriters  
Suite 1-C Liberty Plaza  
Newark, DE 19711

(O) 1-800-732-2551  
(M) 215-808-7252

Corporate Office:  
302 E. Pennsylvania Ave.  
Feasterville, PA 19053

**\*\*CONFIDENTIALITY NOTICE:**

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# 241 Dumont Rd

Author:



New Castle County Delaware GIS: <http://gis.nccde.org>

Disclaimer: For informational purposes only - not to be used as official documentation.

