



» FUNDRAISER: Volunteers use fashion to inspire confidence, hope P16

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Cape Gazette

Delaware's Cape Region

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Jusst Sooup Ranch seeks to be a church

Sussex officials to discuss project Thursday

By Ron MacArthur
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The ongoing saga of the Jusst Sooup Ranch is about to take another turn.

Sussex County Planning and Zoning commissioners are scheduled to discuss a preliminary site plan filed by Jusst Sooup Ministries for a 70-seat church in the soup kitchen building. Churches are a permitted use in AR-1 zoning, which is the cur-

rent zoning of the Jusst Sooup Ranch in Coolspring near Lewes.

The Rev. Dale and Ken Dunning, who have been operating the ministry for the past 12 years, have approval to run a home occupation at the Jusst Sooup Ranch, but they are not permitted to serve the public at the soup kitchen. The Dunnings were dealt a setback when the county's board of adjustment voted 5-0 last November to deny a special-use exception to allow

Jusst Sooup Ministries to serve food at its new kitchen, built for a Friday, Nov. 18 episode of television's "Extreme Makeover: Home Edition."

Since that decision, Dale Dunning has been making soup at her home and transporting it to numerous soup kitchens at area churches. Under home-occupation regulations, volunteers are not allowed to assist her on the Jusst Sooup Ranch property. Only direct family members living on the property are permitted to work as part of the ministry.

Thousands of volunteers, under the di-

rection of builder Schell Brothers, constructed the facility - including a new home for the Dunnings, an apartment and a soup kitchen - working 24 hours a day in one week in late August for an episode of the former ABC television show.

A site-plan review is not a public hearing, but a discussion with a vote by the commission, explained Commissioner Mike Johnson. He said the site plan must conform to county code, and the layout must have proper parking and be appropriate to traffic and safety standards. John-

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OTT, SMITH EARN CONFERENCE TITLES IN WRESTLING



NICK ROTH PHOTO

CAPE 220-POUND WRESTLER Thomas Ott has the upper hand over Polytech's David Hestera in the Henlopen Conference Championship semifinals Feb. 18 at Sussex Central High School in Georgetown. Ott was later crowned the champion of his weight class, as was his 138-pound

teammate Garrett Smith. The Delaware Interscholastic Athletic Association Individual Wrestling State Championships will be held Friday and Saturday, Feb. 24-25, at Cape Henlopen High School.

See a story and more photos on page 24

GARDEN JOURNAL



Plan now for this season's edible landscape P21

DELDOT

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LEWES

City seeks clarity on library site selection P9

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"The price of liberty is eternal vigilance."

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SALTWATER PORTRAIT
Greig brings life to Milton
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DelDOT officials discuss road ownership

Residents learn who's responsible for roads

By Nick Roth
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The Delaware Department of Transportation maintains about 90 percent of the state's roadways, a stark contrast to nearly every other state in the country.

Unlike most states, where counties maintain roads, Delaware's roadways are the responsibility of the state, a municipality or a private community. Nationally, states maintain only about 20 percent of roads, said Joe Wright, DelDOT director of the maintenance and operations division.

"Delaware is one of only about three states that maintain the entire public road network," he said. "Most states there's much more public maintenance, but

it's done by counties."

Residents packed a conference room at the Beebe Medical Arts Building Feb. 15 to learn about who owns and maintains the roads and how the system works. The event was sponsored by the League of Women Voters. Representatives from DelDOT were in attendance presenting different angles on the topic and answering questions from the audience.

Wright said the department maintains about 4,000 lane miles of road in Sussex County, compared to only 2,600 lane miles in New Castle and 2,400 lane miles in Kent. A lane mile is one lane of traffic. On a roadway like Route 1, a three-lane highway is three lane miles for every mile of road. However, Vince Robertson, counsel to the county's planning

and zoning commission, noted that fewer than 10 percent of subdivisions in Sussex are state maintained. He suspects the cost associated with building to state standards may be the reason.

In Sussex County, he said, most subdivisions are built on a larger lots, meaning fewer people would absorb the cost of building the roads to state standards. Developers may also build their roads to a less stringent standard, set forth by the county. However, homeowners in developments with roads built to county standards must pay for later repaving and repairs.

"I suspect in New Castle County, where it's more urban, [it is] more doable economically because you have smaller lots, and more lots that would cover the cost," he said.

Who owns the roads?

The upkeep of the roads in an overwhelming majority of the county's subdivisions falls on the shoulders of the homeowners through fees paid into homeowners associations. It's the re-

sponsibility of the associations to save enough money over time to pay for major capital improvements.

But Fritz Schranck, deputy attorney general who advises DelDOT, pointed out each community has the option of dedicating its roads to the state with the caveat that they will be opened to public use.

There are several methods by which a community can dedicate its roads to the state, both before and after the subdivision is completed.

"State money can only be used for a public purpose," he said. "The state will not spend money on a road that could be gated after it's paved."

Another benefit to having a subdivision's streets open to public use is that small repairs or a portion of a larger project are each eligible to receive money from the Community Transportation Fund. Each year, legislators receive money to allocate toward transportation projects in their districts. To be eligible, the project must have a transporta-

BY THE NUMBERS

State maintained lane miles overall
New Castle County - 2,600
Kent County - 2,400
Sussex County - 4,000

Acres of grass mowed by DelDOT annually
New Castle County - 3,300
Kent County - 3,600
Sussex County - 7,000

DelDOT maintains nearly 300,000 signs in the state

tion component, be on public property or land dedicated for public use, and benefit more than one person. Last year, legislators each received \$225,000 in CTF funds. However, that amount has been cut to \$125,000 in Gov. Jack Markell's fiscal year 2013 proposed budget.

At the same time, there are negatives to having subdivision roads dedicated for public use. In

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Jusst Sooup

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son said adjustments can be made to the preliminary plan and the applicant would have to submit a modified plan for final review. State and county agency approvals would be required before a final site plan could be approved. The planning and zoning commission has final say on all site plans.

Johnson said the site plan as

presented to the planning and zoning commission makes no mention of serving meals during the day or night.

He said it's noted on the preliminary site plan that traffic would be generated by two to three evening weekday meetings per week.

Johnson said it's not clear if that is the only intended permitted use or if approval of the site plan would open the door to all activities permitted in a church facility.

The board of adjustment, in its

denial, ruled the operation was more like a restaurant than a home-cooking operation and that restaurants were prohibited under the regulations.

Board member John Mills, who made the motion for denial, said he could not approve the application based on the facts presented during the public hearing. He said approval of the applica-

tion would have an adverse impact on surrounding properties.

"We heard what a good thing Jusst Sooup Ministry is, and nobody debates that," Mills said. "We heard opinions that it would not adversely affect the neighborhood from supporters, but we didn't see any proof. On the other hand, the opposition showed extreme strong proof

that it would, with other examples of soup kitchens from around the country."

Supporters said they would return to the county; most expected the Dunningtons to file a conditional-use or a rezoning application, both of which require public hearings before the planning and zoning commission and county council.

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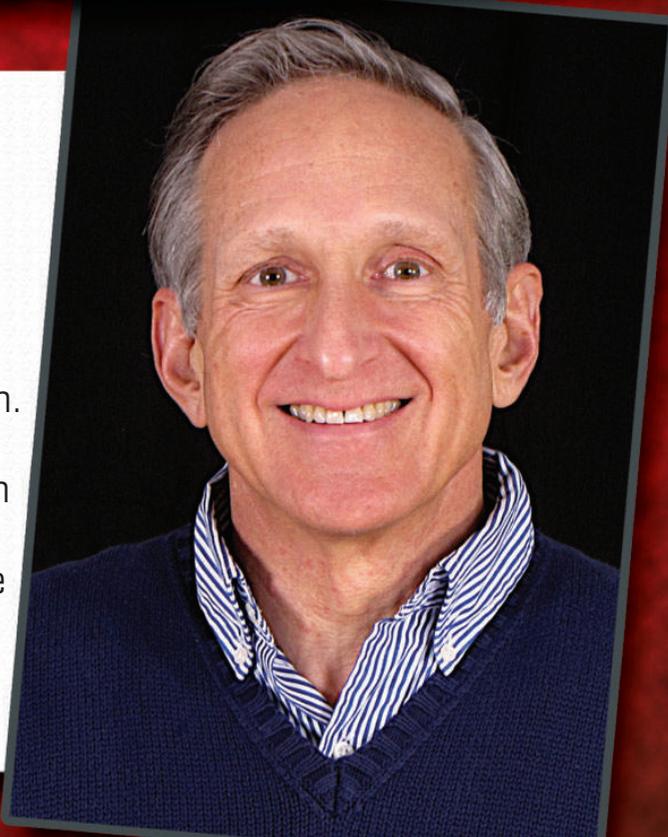
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