

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



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
pandz@sussexcountyde.gov  
www.sussexcountyde.gov

# Sussex County Planning & Zoning Commission

## REVISED AGENDA

February 9, 2023

3:00 P.M.

### Call to Order

### Approval of Agenda

Approval of Minutes – November 17, 2022 (Revised), January 12, 2023, and January 26, 2023

### Public Comment

### Demonstration of Document Management System

### Other Business

- |   |    |
|---|----|
| <u>S-22-39 Southern Delaware Medical Center, LLC (C/U 2316)</u><br>Final Site Plan & Landscape Plan                   | KS |
| <u>S-22-45 Lands of Reed Ventures, LLC</u><br>Revised Preliminary Site Plan   | KS |
| <u>2019-29 Scenic Manor Subdivision</u><br>Request to Revise Conditions of Approval in relation to Hours of Site Work | KS |
| <u>Lank Farm District (Edwin, LLC) (S-22-10-304)</u><br>Consideration of Agricultural Preservation District           | KH |
| <u>Lands of Erbe</u><br>Minor Subdivision off of a 50-ft Easement   | HW |
| <u>Lands of Givens, Trustees</u><br>Minor Subdivision off of a 50-ft Easement   | KH |
| <u>Lands of Ponderosa Acres, LLC</u><br>Minor Subdivision off of a 15-ft Easement                                     | KS |



**Old Business**

**Ord. 23-02**

**An Ordinance to amend the Future Land Use Map of the Comprehensive Plan in relation to Tax Parcel No. 334-5.00-153.00 and 334-5.00-153.02.** The property is lying on the west side of Janice Road, approximately 0.10 mile west of Nassau Commons Boulevard. 911 Address: 32172 Janice Road, Lewes. Tax Parcel: 334-5.00-153.00 and 334-5.00-153.02.

**C/Z 1995 Janice CRP3, LLC**

KS

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District and C-1 General Commercial District to an MR-RPC Medium-Density Residential – Residential Planned Community District for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 61.39 acres, more or less.** The property is lying on the west side of Janice Road, approximately 0.10 mile west of Nassau Commons Boulevard. 911 Address: 32172 Janice Road, Lewes. Tax Parcel: 334-5.00-153.02.

**Ord. 22-07**

**An Ordinance to amend the Future Land Use Map of the Comprehensive Plan in relation to Tax Parcels 135-15.00-98.00 & 98.01.** The properties are located on the south side of Lewes Georgetown Highway (Route 9), approximately 0.4-miles east of the intersection of Sand Hill Road (S.C.R. 319) and Lewes Georgetown Highway. 911 Address: 22242 Lewes Georgetown Highway, Georgetown. Tax Parcels: 135-15.00-98.00 & 98.01.

**C/U 2369 Leeward Chase DE, LLC**

HW

**An Ordinance to grant a Conditional Use of land in an Agricultural Residential District for multi-family dwellings (106 units) to be located on a certain parcel of land lying and being in Georgetown Hundred, Sussex County, containing 50.80 acres, more or less.** The properties are located on the south side of Lewes Georgetown Highway (Route 9), approximately 0.4-miles east of the intersection of Sand Hill Road (S.C.R. 319) and Lewes Georgetown Highway. 911 Address: 22242 Lewes Georgetown Highway, Georgetown. Tax Parcels: 135-15.00-98.00 & 98.01.

**C/U 2370 William D. & Carol Emmert**

HW

**An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for amendments to Conditional Use No. 1334 (Ordinance No. 1383) to allow for an additional commercial building for storage and operations of a construction business to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 3.93 acres, more or less.** The property is lying on the north side of Four of Us Road, approximately 234 feet west of Hollyville Road (S.C.R. 48). 911 Address: 28816 Four of Us Road, Harbeson. Tax Parcel: 234-10.00-12.09.

**C/Z 1974 Gregory T. White and Patricia P. White**

BM

**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 Baltimore Hundred, Sussex County, containing 2.83 acres, more or less.** The property is lying on the northeast side of Vines Creek Road (Rt. 26), approximately 425 feet northwest of Powell Farm Road (S.C.R. 365). 911 Address: 34371 Vines Creek Road, Dagsboro. Tax Parcel: 134-11.00-152.00.

**C/Z 1975 Gregory T. White and Patricia P. White** BM  
**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an MR Medium Residential District to a C-2 Medium Commercial District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 3.64 acres, more or less.** The properties are lying on the southwest side of Vines Creek Road (Rt. 26) approximately 450 feet northwest of Powell Farm Road (S.C.R. 365). 911 Address: 34360 & 34376 Vines Creek Road, Dagsboro. Tax ID: 134-11.00-107.00 and 108.00.

**Recess**

**Public Hearings**

**Ord. 23-03**  
**AN ORDINANCE TO AMEND CHAPTER 99, § 99-39B.(2)(c) OF THE CODE OF SUSSEX COUNTY RELATING TO THE TIME PERIOD FOR COUNCIL TO RENDER A DECISION ON APPEAL.**

**C/U 2374 Jose Netto and Karyne DeSilva** KS  
**An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for an esthetician business to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 0.28 acre, more or less.** The property is lying on the west side of John J. Williams Highway (Rt. 24), approximately 0.38 mile southwest of Mulberry Knoll Road (S.C.R. 284). 911 Address: 20036 John J. Williams Highway, Lewes. Tax Parcel: 334-12.00-23.00.

**C/U 2376 Jose Hernandez** HW  
**An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a swimming pool business to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 6.56 acres, more or less.** The property is lying on the north side of Hollyville Road (S.C.R. 48), approximately 0.28 mile southwest of Harbeson Road (Rt. 5). 911 Address: 23086 Hollyville Road, Harbeson. Tax Parcel: 234-10.00-70.03.

**C/U 2340 Inland Bays Preservation Company, LLC** KS  
**An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a wastewater reclamation treatment facility to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 26.05 acres, more or less.** The property is lying on the northeast side of Banks Road (S.C.R. 298), approximately 400 feet northwest of Green Road (S.C.R. 298A). 911 Address: N/A Tax Parcel: 234-17.00-170.00 (P/O).

**C/U 2349 Lessard Builders** BM  
**An Ordinance to grant a conditional use of land in an MR Medium Density Residential District for multi-family (10 units) to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 0.84 acre, more or less.** The property is lying on the northwest side and the southeast side of Oak Orchard Road (Rt. 5), approximately 300 feet east of River Road (S.C.R. 312). 911 Address: 32768 Oak Orchard Road, Millsboro. Tax Parcel: 234-35.09-6.00.

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on February 2, 2023 at 4:00 p.m., and at least seven (7) days in advance of the meeting.

The agenda was revised at 5:58 p.m. on February 2, 2023 to add an additional item relating to the demonstration of a Document Management System.

This Agenda 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 listed may be considered out of sequence.

-MEETING DETAILS-

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

The County provides a dial-in telephone 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 by telephone 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 for those items listed under Public Hearings on this agenda.

The Planning & Zoning Commission meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountyde.gov/>

If any member of the public would like to submit comments electronically, these may be sent to [pandz@sussexcountyde.gov](mailto:pandz@sussexcountyde.gov). All comments are encouraged to be submitted by 4:00 P.M on Wednesday, February 8, 2023.

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