

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
(302) 854-5079 F
sussexcountyde.gov

Sussex County Planning & Zoning Commission

AGENDA

April 14, 2022

5:00 P.M.

Call to Order

Approval of Agenda

Approval of Minutes – March 10, 2022

Other Business

<u>(2021-27) Lands of Borders</u> Final Subdivision Plan	HW
<u>Verizon Cell Tower DOV Horse Island</u> Revised Final Site Plan	KS
<u>Long Neck Back Bay Center</u> Revised Final Site Plan	KS
<u>Blessing Greenhouses & Compost Facility, Inc</u> Preliminary Site Plan	KS
<u>S-21-41 Ocean Park</u> Revised Preliminary Site Plan	KS
<u>S-22-07 The Cottages of Rehoboth</u> Revised Preliminary Site Plan	KS
<u>S-22-08 Bethany Bay Brewing Co.</u> Revised Preliminary Site Plan	HW
<u>(2020-11) Cardinal Grove Amenities Plan</u> Preliminary Amenities Plan	HW
<u>Lands of Michael & Lori Short</u> Minor Subdivision off of a 50-ft easement	KH



Blessing Greenhouses & Compost Facility, Inc KS
Preliminary Site Plan

Lands of O’Neill and Krause HW
Minor Subdivision off of a 50-ft easement

Old Business

2021-19 East Gate HW
A Coastal Area cluster subdivision to divide 36.71 acres +/- into 88 single-family lots to be located on certain parcels of land and lying and being in Baltimore Hundred, Sussex County. The properties are located on the southwest side of Zion Church Road (Route 20), approximately 0.76 mile southeast of Evans Road (S.C.R. 383). Tax Parcels: 533-11.00-45.05, 45.06, 45.07 & 45.08. Zoning: GR (General Residential District).

2022-01 Henlopen Properties, LLC KS
A Coastal Area subdivision to divide 43.777 acres +/- into two hundred and sixty-seven (267) lots on a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County. The property is located on the southeast side of Kings Highway (Rt. 9) and on the north side of Gills Neck Road (S.C.R. 267). Tax Parcel: 335-8.00-37.00 (portion of). Zoning: MR (Medium Residential District).

C/Z 1967 Henlopen Properties, LLC KS
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a MR Medium Residential District for a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 43.777 acres, more or less. The property is lying on the southeast side of Kings Highway (Rt. 9) and on the north side of Gills Neck Road (S.C.R. 267). 911 Address: N/A. Tax Parcel: 335-8.00-37.00 (portion of).

C/Z 1968 Henlopen Properties, LLC KS
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-2 Medium Commercial District for a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 3.041 acres, more or less. The property is lying on the southeast side of Kings Highway (Rt. 9) approximately 0.11-mile northeast of the intersection of Kings Highway (Rt. 9) and Gills Neck Road (S.C.R. 267). 911 Address: N/A. Tax Parcel: 335-8.00-37.00 (portion of).

C/U 2334 Henlopen Properties, LLC KS
An Ordinance to grant a Conditional Use of land in a MR Medium Residential District for multi-family (267 units) to be located on a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 43.777 acres, more or less. The property is lying on the southeast side of Kings Highway (Rt. 9) and on the north side of Gills Neck Road (S.C.R. 267). 911 Address: N/A. Tax Parcel: 335-8.00-37.00 (portion of).

2021-22 The Woods at Burton’s Pond Extended KS
A major subdivision to divide 15.009 acres +/- into nineteen (19) single family lots to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County. The property is lying on the south side of Conley’s Chapel Road (S.C.R. 280B), approximately 0.4

mile east of Beaver Dam Road (S.C.R. 285) and is accessed from Artesian Avenue within The Woods at Burton's Pond Subdivision. Tax Parcel: 234-11.00-72.04. Zoning: AR-1 (Agricultural Residential District).

2021-26 Harper's Glen

KS

A cluster subdivision to divide 29.39 acres +/- into thirty-three (33) single family lots to be located on certain parcels of land lying and being in Broadkill Hundred, Sussex County. The property is lying on the north side of Milton Ellendale Highway (Rt. 16), approximately 0.17 mile east of the intersection of Gravel Hill Road (Rt. 30) and Isaacs Road (Rt. 30). Tax Parcel: 235-14.00-61.00 & 61.06. Zoning: AR-1 (Agricultural Residential District).

C/U 2290 Toback Development, LLC

KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for contractor flex space to be located on a certain parcel of land lying and being in Broad Kill Hundred, Sussex County, containing 7.12 acres, more or less. The property is lying on the west side of the intersection of Lewes Georgetown Highway (Route 9) and Prettyman Road (S.C.R. 254). 911 Address: N/A. Tax Parcel: 235-30.00-6.21 (portion of).

C/Z 1954 American Storage of Delaware, LLC

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 portion of a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 8.27 acres, more or less. The property is lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 miles south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). 911 Address: N/A. Tax Parcel: 234-29.00-49.02 (portion of)

C/Z 1955 American Storage of Delaware, LLC

BM

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a MR Medium Density Residential District for a portion of certain parcels of land lying and being in Indian River Hundred, Sussex County, containing 17.63 acres, more or less. The property is lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). 911 Address: N/A. Tax Parcels: 234-29.00-49.02 (portion of), 49.03 & 50.00.

C/U 2315 American Storage of Delaware, LLC

BM

An Ordinance to grant a Conditional Use of land in an MR Medium Density Residential District for multifamily units (140 units) to be located on certain parcels of land lying and being in Indian River Hundred, Sussex County, containing 17.63 acres, more or less. The property is lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). 911 Address: N/A. Tax Parcels: 234-29.00-49.02 (portion of), 49.03 & 50.00.

Public Hearings

2021-28 Lands of Fannin

KH

A standard subdivision to divide 4.45 acres +/- into five (5) single-family lots to be located on a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County. The property

is lying on the north side of Shawnee Road (Route 36), approximately 0.70 mile southwest of S. DuPont Highway (Route 113). Tax Parcel: 130-3.00-170.00. Zoning: MR (Medium Density Residential District).

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-30.00-94.00

C/Z 1978 Warren Munroe & David Rohrbaugh

KH

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District and MR Medium Residential District to an MR Medium Residential District for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 4.54 acres, more or less. The property is lying on the west side of Harbeson Road (Route 5) approximately 475 feet south of Lewes Georgetown Highway (Route 9). 911 Address: 18672 Harbeson Road, Harbeson. Tax Parcel: 235-30.00-94.00.

C/U 2299 Warren Munroe & David Rohrbaugh

KH

An Ordinance to grant a Conditional Use of land in an MR Medium-Density Residential District for multi-family dwellings (24 units) to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 4.54 acres, more or less. The property is lying on the west side of Harbeson Road (Route 5) approximately 475 feet south of Lewes Georgetown Highway (Route 9). 911 Address: 18672 Harbeson Road, Harbeson. Tax Parcel: 235-30.00-94.00

2021-25 Four Winds Farm

KS

A cluster subdivision to divide 168.9 acres +/- into three-hundred and thirty-six (336) single-family lots to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County. The property is lying on the east side of Shingle Point Road (S.C.R. 249), approximately 0.88 mile south of the intersection of Shingle Point Road (S.C.R. 249) and Harbeson Road (Route 5). Tax Parcel: 235-25.00-39.00. Zoning: AR-1 (Agricultural Residential District).

C/U 2318 V&M, LLC

KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a convenience store and office building to be located on a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 3.305 acres, more or less. The properties are lying on the southeast corner of the intersection of John J. Williams Highway (Route 24) and Mulberry Knoll Road (S.C.R. 284) also on the southeast side of John J. Williams Highway (Rt. 24) and also on the southwest side of Mulberry Knoll Road (S.C.R. 284). 911 Addresses: 19429, 19425, 19405, & 19387 John J. Williams Hwy. & 19676, 19662, 19646, & 19634 Mulberry Knoll Rd., Lewes. Tax Parcels: 334-12.00-108.00, 108.01, 109.00, 109.01, 110.00, 111.00, 111.01, 112.00.

C/Z 1962 Jeff-Kat, LLC

KS

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 portion of a parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 1.19 acres, more or less. The property is lying on the east side of Kings Highway (Rt. 9) approximately 0.36-mile northeast of the intersection of Kings Highway (Rt. 9) and Gills Neck Road (S.C.R. 267). 911 Address: 1005 & 1007 Kings Highway, Lewes. Tax Parcel: 335-

8.00-39.00 (portion of).

Additional Business

- Executive Session – Pending/Potential Litigation

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on April 7, 2022 at 4:25 p.m., and at least seven (7) days in advance of the meeting.

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. All comments are encouraged to be submitted by 4:00 P.M on Wednesday, April 13, 2022.

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