

**Sussex County
Planning & Zoning Commission**
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John L. Allen, Chairman
Robert C. Wheatley, Vice-Chairman
W. Layton Johnson
Ronald P. Lynch
Benjamin Gordy
Lawrence B. Lank, Director

SEPTEMBER 25, 2003

The regular meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, SEPTEMBER 25, 2003, at 7:00 P.M., in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

AGENDA

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of September 11, 2003
Approval of Minutes of September 18, 2003
- IV. Old Business
 1. Subdivision #2001-35 -- Beverly T. Thawley
Final JA
 2. Subdivision #2002-38 -- Keith Properties, Inc.
Final RL
 3. Subdivision #2003-14 -- H.M. Properties, Route 23, L.L.C.
Preliminary LJ
 4. C/U #1497 -- Bobby R. Jones JA
 5. C/Z #1513 -- Windmill Ventures, LLC RL
 6. C/U #1502 -- Windmill Ventures, LLC RL
 7. C/U #1504 -- Nardo, Inc. LJ
 8. C/Z #1514 -- Don Conaway RL
 9. C/Z #1515 -- Don Conaway RL
 10. Ordinance Amendment -- B-1 and C-1 Districts
 11. Ordinance Amendment -- C-2 District

- V. Public Hearings
1. C/U #1505 -- David Ritter LJ
 2. C/U #1506 -- Ocean Highway, LLC LJ
 3. C/U #1507 -- North Beach, LLC RL
 4. C/Z #1518 -- Theresa E. Murray, Trustee RL
 5. Ordinance Amendment -- Agricultural Related Industry
 6. Ordinance Amendment -- Biotech
- VI. Other Business
1. Warrington Creek MR/RPC LJ
C/Z #1503 - Master Record Plan - Road 274
 2. Long Neck Shores HR/RPC LJ
C/Z #1473 - Final Record Plan - Road 299
 3. Fenwick Shoals RL
Preliminary Commercial Site Plan - Route 54
 4. Laura Brady BG
Lot and 50' Easement - Road 72
 5. Francis H. Prettyman LJ
Lot and 50' Right of Way - Road 254
 6. Timothy Elder RL
Lot and 50' Right of Way - Road 361
 7. Subdivision #2002-22 - Derrick Matthews RW
Revised Preliminary - Road 524
 8. Dorothy Theriault RL
C/U #1289 - Revised Site Plan - Route 26

Pursuant to 29 Del.C. § 10004 (e) (2) Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the Meeting.

POSTED: SEPTEMBER 15, 2003

OLD BUSINESS

1. Subdivision #2001-35 -- application of **BEVERLY T. THAWLEY** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Cedar Creek Hundred, Sussex County, by dividing 70.289 acres into 64 lots, located west of Road 206, 1,470 feet northeast of Route One.
2. Subdivision #2002-38 -- application of **KEITH PROPERTIES, INC.** to consider the Subdivision of land in a MR Medium Density Residential District in Baltimore Hundred, Sussex County, by dividing 22.02 acres into 42 lots, located south of Route 54, 450 feet southeast of Road 58B.
3. Subdivision #2003-14 -- application of **H.M. PROPERTIES, ROUTE 23, L.L.C.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 240.81 acres into 352 lots, located at the southwesterly corner of the intersection of Road 286 and Road 285.
4. C/U #1497 -- application of **BOBBY R. JONES** to consider the Conditional Use of land in an AR-1 Agricultural Residential District to construct, build, and repair wooden pallets to be located on a certain parcel of land lying and being in Nanticoke Hundred, Sussex County, containing 13.392 acres, more or less, lying northwest of Route 611, 1,500 feet south of Route 16.
5. C/Z #1513 -- application of **WINDMILL VENTURES, LLC** to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to a MR Medium Density Residential District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, land lying east of Route 352 (Windmill Road), 0.4 mile south of Route 26, to be located on 34.09 acres, more or less.
6. C/U #1502 -- application of **WINDMILL VENTURES, LLC** to consider the Conditional Use of land in a MR Medium Density Residential District for multi-family dwelling structures to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 34.09 acres, more or less, lying east of Route 352 (Windmill Road), 0.4 mile south of Route 26.
7. C/U #1504 -- application of **NARDO, INC.** to consider the Conditional Use of land in an AR-1 Agricultural Residential District and a B-1 Neighborhood Business District for expansion of Conditional Use No. 1290 (Ordinance No. 1323) for additional offices and storage to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 5.0 acres, more or less, lying south of Route 9, 0.5 mile west of Route 262.
8. C/Z #1514 -- application of **DON CONAWAY** to amend the Comprehensive Zoning Map from a B-1 Neighborhood Business District to a C-1 General Commercial District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, land lying south of Route 54, 1.0 mile west of "The Ditch" and 0.6 mile east of Route 58B, to be located on 1.43 acres, more or less.

9. C/Z #1515 -- application of **DON CONAWAY** to amend the Comprehensive Zoning Map from a B-1 Neighborhood Business District to a C-1 General Commercial District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, land lying south of Route 54, 1.0 mile west of "The Ditch" and 0.6 mile east of Route 58B, to be located on 2.61 acres, more or less.
10. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY TO AMEND THE PROVISIONS RELATING TO RESIDENTIAL USES IN THE B-1 AND C-1 COMMERCIAL ZONING DISTRICTS BY LIMITING SUCH USES TO 4 DWELLING UNITS PER ACRE, TO ELIMINATE SECTION 115-77.1 LARGE SCALE USES, AND MAKES OTHER TECHNICAL CHANGES TO ARTICLE X, B-1 NEIGHBORHOOD BUSINESS DISTRICT AND ARTICLE XI, C-1 GENERAL COMMERCIAL DISTRICT.
11. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ADD A NEW SECTION CREATING A C-2 LARGE SCALE COMMERCIAL DISTRICT.

PUBLIC HEARINGS

1. C/U #1505 -- application of **DAVID RITTER** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for boat storage to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 1.83 acres, more or less, lying 270 feet south of Route 22 (Long Neck Road), 0.2 mile east of Route 298 and east of Julia's Lane, and being more particularly described as Lots 2 and 3 within Julia's Place Subdivision.
2. C/U #1506 -- application of **OCEAN HIGHWAY, LLC** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for self-storage and warehousing to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 9.4 acres, more or less, lying south of Route 9, 0.25 mile west of Route 262.
3. C/U #1507 -- application of **NORTH BEACH, LLC** to consider the Conditional Use of land in a MR Medium Density Residential District for multi-family dwelling structures (52 units) to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 13.07 acres, more or less, lying south of Fred Hudson Road (Route 360), 0.2 mile west of Route One.
4. C/Z #1518 -- application of **THERESA E. MURRAY, TRUSTEE** to amend the Comprehensive Zoning Map from a MR Medium Density Residential District to a C-1 General Commercial District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, land lying east of Cedar Neck Road (Route 357), 1,100 feet south of Route 359 and north of South Orlando Avenue, to be located on 37,362 square feet, more or less.

5. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ALLOW AGRICULTURAL RELATED INDUSTRY AS A CONDITIONAL USE IN THE AGRICULTURAL RESIDENTIAL ZONING DISTRICT, TO DEFINE AGRICULTURAL RELATED INDUSTRY, AND TO DELETE CONFLICTING LANGUAGE.
6. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ALLOW A BIOTECH INDUSTRY AND A BIOTECH CAMPUS AS A CONDITIONAL USE IN THE AGRICULTURAL RESIDENTIAL ZONING DISTRICT AND TO DEFINE BIOTECH INDUSTRY AND BIOTECH CAMPUS.