

Sussex County
Planning & Zoning Commission
P.O. Box 417
Georgetown, DE 19947
302-855-7878
302-854-5079 (Fax)



John L. Allen, Chairman
Robert C. Wheatley, Vice-Chairman
W. Layton Johnson
Ronald P. Lynch
Benjamin Gordy
Lawrence B. Lank, Director

OCTOBER 9, 2003

The regular meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, OCTOBER 9, 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 23, 2003
Approval of Minutes of September 25, 2003
- IV. Old Business
 1. C/Z #1514 -- Don Conaway RL
 2. C/Z #1515 -- Don Conaway RL
 3. C/U #1505 -- David Ritter LJ
 4. C/U #1506 -- Ocean Highway, LLC LJ
 5. C/U #1507 -- North Beach, LLC RL
 6. Subdivision #2002-9 -- Sussex Ventures, Inc. BG
Asbury Meadows - Final
 7. Subdivision #2002-28 -- Bud Bright LJ
Greenbank Estates - Final
 8. Ordinance Amendment -- B-1 and C-1 Districts
 9. Ordinance Amendment -- C-2 District
 10. Ordinance Amendment -- Agricultural Related Industry
 11. Ordinance Amendment -- Biotech

V. Public Hearings

1. Subdivision #2003-17 -- Hazzard Development Co., LLC JA
2. C/U #1508 -- Ray Lewis BG
3. C/U #1509 -- Dwayne Mousley JA
4. C/Z #1519 -- Elmer G. Fannin JA
5. C/U #1510 -- Elmer G. Fannin JA

VI. Other Business

1. Washington Square LJ
Multi-family Site Plan - Route 1A (Church Street)
2. William D. Emmert and John T. Wakefield LJ
Multi-family Site Plan - Road 273-C
3. Douglas P. Corey RW
Parcel and 50' Right of Way - Route 18
4. Linda Booth Rogers LJ
4 Parcels - Road 249
5. Robert Nibblett BG
Lot and 50' Right of Way - Route 13A

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 29, 2003

OLD BUSINESS

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. Subdivision #2002-9 -- application of **SUSSEX VENTURES, INC.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Nanticoke Hundred, Sussex County, by dividing 23.55 acres into 16 lots, located west of Road 446, 1,163 feet south of Route 9.
7. Subdivision #2002-28 -- application of **BUD BRIGHT** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 49.89 acres into 50 lots, located south of Road 48, 150 feet east of Road 302.

8. 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.
9. 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.
10. 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.
11. 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.

PUBLIC HEARINGS

1. Subdivision #2003-17 -- application of **HAZZARD DEVELOPMENT CO., LLC** to consider the Subdivision of land in an AR-1 Agricultural Residential District and a MR Medium Density Residential District in Cedar Creek Hundred, Sussex County, by dividing 48.62 acres into 47 lots, located south of Road 634, 2,246.33 feet southeasterly of Road 633.
2. C/U #1508 -- application of **RAY LEWIS** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a borrow pit for extraction and removal of soil to be located on a certain parcel of land lying and being in Gumboro Hundred, Sussex County, containing 86.74 acres, more or less, lying east of Route 413 and north of Route 419.
3. C/U #1509 -- application of **DWAYNE MOUSLEY** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for garages for storage to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 1.071 acres, more or less, lying northwest of Road 266 (New Road), 0.4 mile southwest of Pilottown Road in Lewes.

4. C/Z #1519 -- application of **ELMER G. FANNIN** to amend the Comprehensive Zoning Map from a GR General Residential District to an AR-1 Agricultural Residential District for a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, land lying on the southeast side of the intersection of Route 216A and Route 217, to be located on 32.48 acres, more or less.
5. C/U #1510 -- application of **ELMER G. FANNIN** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a campground to be located on a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, containing 32.48 acres, more or less, lying on the southeast side of the intersection of Route 216A and Route 217.