

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 23, 2003

The regular meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, OCTOBER 23, 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 October 9, 2003
- IV. Old Business
 1. C/U #1505 -- David Ritter LJ
 2. C/U #1506 -- Ocean Highway, LLC LJ
 3. C/U #1508 -- Ray Lewis BG
 4. C/Z #1519 -- Elmer G. Fannin JA
 5. C/U #1510 -- Elmer G. Fannin JA
 6. Subdivision #2003-17 -- Hazzard Development Co., LLC JA
 7. Ordinance Amendment -- B-1 and C-1 Districts
 8. Ordinance Amendment -- C-2 District
 9. Ordinance Amendment -- Agricultural Related Industry
 10. Ordinance Amendment -- Biotech
- V. Public Hearings
 1. Subdivision #2003-18 -- Bob Reed LJ
 2. Subdivision #2003-19 -- Northern Steel Investments, LLC LJ

3. C/U #1511 -- Anthony L. Freeman LJ
4. C/U #1513 -- Linda Thurston and Karen Nash RL
5. C/Z #1520 -- David Reichert and Rebecca LeBlanc LJ
6. C/Z #1521 -- 1st State Storage Company LJ

VI. Other Business

1. Eagle Point Section II LJ
C/U #1489 - Site Plan - Road 276
2. Lord Baltimore Landing RL
C/Z #1488 - Final Record Plan - Road 84
3. Royal Farms #125 RW
Commercial Site Plan - Route 13 and Route 20
4. Kensington Park HR/RPC RL
C/Z #1511 - Master Record Plan - Road 362
5. Warwick Cove LJ
C/U #1393 - Site Plan - Road 312
6. Villas At Bay Crossing (formerly Beachplum Dunes) LJ
Multi-family Site Plan - Route One
7. Robert J. and Eleanor H. Bennett JA
Lot and 50' Right of Way - Route 16
8. Glenn Hickman RL
Lot and 50' Right of Way - Road 348
9. Elizabeth Himes RW
Lot and 50' Right of Way - Route 13A
10. Jonathan and Beth Webb RL
3 Parcels and 50' Right of Way - Road 370
11. Robert J. Wotring JA
Conceptual Site Plan - Route One

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: OCTOBER 10, 2003

OLD BUSINESS

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 #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.
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.
6. 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.
7. 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.

8. 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.
9. 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.
10. 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 #2003-18 -- application of **BOB REED** to consider the Subdivision of land in a B-1 Neighborhood Business District in Indian River Hundred, Sussex County, by dividing 21.90 acres into 24 lots, located southeast of Route 24, 375 feet west of Road 297 (Route 5).
2. Subdivision #2003-19 -- application of **NORTHERN STEEL INVESTMENTS, LLC** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 22.71 acres into 14 lots, and a variance from the maximum allowed cul-de-sac length of 1,000 feet, located west of Road 285, 2,251 feet north of Road 286.
3. C/U #1511 -- application of **ANTHONY L. FREEMAN** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a produce sales facility to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 0.91 acre, more or less, lying at the southwest corner of Route 277 and Route 275.
4. C/U #1513 -- application of **LINDA THURSTON AND KAREN NASH** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a bakery to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 14.13 acres, more or less, lying south of Route 54 and 2,076 feet west of Road 389.

5. C/Z #1520 -- application of **DAVID REICHERT AND REBECCA LEBLANC** 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 Lewes and Rehoboth Hundred, Sussex County, land lying northwest of Route 24, 1,400 feet northeast of Love Creek, to be located on 22,500 square feet, more or less.
6. C/Z #1521 -- application of **1ST STATE STORAGE COMPANY** to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to a C-1 General Commercial District for a certain parcel of land lying and being in Georgetown Hundred, Sussex County, land lying 330 feet south of Route 9 and 800 feet east of Route 321, and being part of Lots 3, 4, and 5 within the Village of Saulsbury Switch Subdivision, to be located on 1.5891 acres, more or less.