

**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

NOVEMBER 6, 2003

A special meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, NOVEMBER 6, 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. Old Business
 1. Subdivision #2001-12 -- Dr. James Beebe
Final LJ
 2. Subdivision #2002-46 -- Leo Donohoe and Thomas Donohoe
Final RL
 3. Subdivision #2003-18 -- Bob Reed
Preliminary LJ
 4. Subdivision #2003-19 -- Northern Steel Investments, LLC
Preliminary LJ
 5. C/U #1508 -- Ray Lewis BG
 6. C/Z #1519 -- Elmer G. Fannin JA
 7. C/U #1510 -- Elmer G. Fannin JA
 8. C/U #1511 -- Anthony L. Freeman LJ
 9. C/U #1513 -- Linda Thurston and Karen Nash RL
 10. C/Z #1520 -- David Reichert and Rebecca LeBlanc LJ
 11. C/Z #1521 -- 1st State Storage Company LJ
 12. Ordinance Amendment -- B-1 and C-1 Districts

13. Ordinance Amendment -- C-2 District
14. Ordinance Amendment -- Agricultural Related Industry
15. Ordinance Amendment -- Biotech

IV. Other Business

1. Americana Bayside MR/RPC RL
Phase 3 - Site Plan - Route 54
2. The Retreat MR/RPC LJ
C/Z #1487 - Final Site Plan - Roads 277 and 283
3. Good Earth Market RL
C/U #1484 - Site Plan - Route 26
4. Cool Spring Office Park LJ
Preliminary Site Plan - Route 9
5. Delaware Cedar LJ
Revised Site Plan - Route One
6. Subdivision #2002-24 -- Kuhn Family Sussex Partnership LJ
Time Extension
7. Boys & Girls Club of Delaware LJ
C/U #1417 - Time Extension
8. Michael A. and Judith B. Poleck JA
C/U #1462 - Time Extension

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 24, 2003

OLD BUSINESS

1. Subdivision #2001-12 -- application of **DR. JAMES BEEBE** to consider the Subdivision of land in an AR-1 Agricultural Residential Zoning District in Indian River Hundred, by dividing 15.41 acres into 4 lots, located at the northeast corner of the intersection of Beebe Drive and Bundicks Drive within Beebe Farm Subdivision, on the east side of Road 285, 272 feet north of Road 287.
2. Subdivision #2002-46 -- application of **LEO DONOHUE AND THOMAS DONOHUE** to consider the Subdivision of land in a MR Medium Density Residential District in Baltimore Hundred, Sussex County, by dividing 1.87 acres into 5 lots, located south of Road 361, 600 feet southeast of Road 368.
3. 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).
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.

9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.