



Planning & Zoning

Agendas & Minutes

APRIL 15, 2004

The regular meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, APRIL 15, 2004, at 7:00 P.M., in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

REVISED AGENDA

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of March 25, 2004
Approval of Minutes of April 1, 2004
- IV. Old Business
 1. C/U #1526 -- Robino-Sanibel Village, L.L.C. JA
 2. C/U #1529 -- Bart and Brenda Donaway BG
 3. C/U #1545 -- Christopher Valenti JA
 4. C/U #1530 -- Moor Disposal Service, Inc. LJ
 5. C/Z #1533 -- Hailey/Ribera Development, LLC LJ
 6. Subdivision #2003-33 -- John A. Mast Preliminary RW
 7. C/U #1531 -- Dean W. Sherman LJ
 8. C/Z #1534 -- H2E2, LLC LJ
 9. C/Z #1535 -- Fenwick Commons, L.L.C. RL
 10. C/Z #1536 -- Sandy Landing, L.L.C. RL
 11. Ordinance Amendment - Combined Highway Corridor Overlay
 12. Ordinance Amendment - Cluster Development

V. Public Hearings

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| 1. | C/U #1550 -- Michael R. Emmett, Sr. | RL |
| 2. | C/U #1532 -- Triangle Electrical Service Co. | LJ |
| 3. | C/U #1533 -- Kyung Cho-Miller | RL |
| 4. | C/Z #1532 -- E. F. and Martha Quillen | RL |
| 5. | C/Z #1537 -- Charlotte L. Wheatley | RL |
| 6. | Subdivision #2003-38 -- BPG Properties, LLC | LJ |

VI. Other Business

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| 1. | Ellis Point AR-1/RPC
Final Site Plan - Road 346B | RL |
| 2. | Warrington Creek MR/RPC
Revised Master Record Plan - Road 275 | LJ |
| 3. | Savannah Park, LLC
Preliminary Multi-family Site Plan - Route 9 | JA |
| 4. | L. T. L. Acres, L.P.
Preliminary Commercial Site Plan - U.S. Route 13 and Road 462 | BG |
| 5. | Lawrence A. Brown
Preliminary Commercial Site Plan - Route One | LJ |
| 6. | Royal Farms Market
Preliminary Commercial Site Plan - Route 24 and Road 297 | LJ |
| 7. | Tidewater Utilities
C/U #1477 Revised Site Plan - Route 54 | RL |
| 8. | Americana Bayside MR/RPC
Phase 1 Site Plan - Route 54 | RL |

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| 9. | Rehoboth Beach Associates, LLC
Preliminary Multi-family Site Plan - Route One | LJ |
| | | Agenda
April 15, 2004
Page 3 |
| 10. | Bobby R. Jones
C/U #1497 Site Plan - Road 611 | JA |
| 11. | Indian River Inlet Marina
Revised Site Plan - Route One | LJ |
| 12. | Subdivision #2002-50 - Gary Hitch
Time Extension - Road 353 | RL |
| 13. | Erwin and Diana Bradford
Lot on 50' Right of Way - Road 298 | LJ |
| 14. | Michael D. Herholdt
Parcel and 50' Easement - Road 42 | JA |
| 15. | Thoro-Good's Concrete Co., Inc.
3 Parcels and 50' Easement - Road 333 | RL |

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: MARCH 30, 2004

REVISED: APRIL 2, 2004

(Revised to include additional Old Business)

OLD BUSINESS

1. C/U #1526 -- application of **ROBINO-SANIBEL VILLAGE, L.L.C.** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for multi-family dwelling structures to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 38.23 acres, more or less, lying west of Route 269A (Old Orchard Road), south of Railroad and north of Dutch Acres Subdivision off of Route One.
2. C/U #1529 -- application of **BART AND BRENDA DONAWAY** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for automotive repairs to be located on a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, containing 1.54 acres, more or less, lying at the northeast corner of Route 24 and Route 409.
3. C/U #1545 -- application of **CHRISTOPHER VALENTI** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a landscaping business office, greenhouses, and material and supply storage to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 5.61 acres, more or less, lying southwest of Route One, 0.9 mile northwest of Route 16.
4. C/U #1530 -- application of **MOOR DISPOSAL SERVICE, INC.** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a trash disposal business to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 2.94 acres, more or less, lying south of Route 24 (John J. Williams Highway), 550 feet west of Route 309.
5. C/Z #1533 -- application of **HAILEY/RIBERA DEVELOPMENT, LLC.** to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to an AR-1/RPC Agricultural Residential District-Residential Planned Community for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, land lying northwest of Route 24, east of Love Creek, and west of Tanglewood Drive, the entrance to Briarwood Estates Subdivision, to be located on 83.74 acres, more or less.
6. Subdivision #2003-33 -- application of **JOHN A. MAST** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Seaford Hundred, Sussex County, by dividing 30.65 acres into 13 lots, and a variance from the maximum allowed cul-de-sac length of 1,000 feet, located north of Road 78, 375 feet northwest of Road 80.
7. C/U #1531 -- application of **DEAN W. SHERMAN** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a borrow pit for the creation of two (2) ponds to be located on a certain parcel of land lying and being in

- Broadkill Hundred, Sussex County, containing 78.48 acres, more or less, lying east of Route 5, 1/2 mile south of Road 257 and approximately 1.0 mile north of Route 9.
8. C/Z #1534 -- application of **H2E2, LLC.** 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 Indian River Hundred, Sussex County, land lying west of Route 24, 1,800 feet south of Route 5 and Long Neck Road, to be located on 6.51 acres, more or less.
 9. C/Z #1535 -- application **FENWICK COMMONS, L.L.C.** 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 at the southwest corner of Route 54 and Route 394, and northeast of Route 394, 150 feet southeast of Route 54, to be located on 13.35 acres, more or less.
 10. C/Z #1536 -- application of **SANDY LANDING, L.L.C.** to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to a MR-RPC Medium Density Residential District-Residential Planned Community for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, land lying west of Route 341, across from Route 342, to be located on 27.21 acres, more or less.
 11. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO REVISE AND REPLACE SECTION 194.1 WITH A NEW SECTION ENTITLED THE COMBINED HIGHWAY CORRIDOR OVERLAY ZONE.
 12. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, ARTICLE IV "AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS", TO ALLOW CLUSTER DEVELOPMENT OF RESIDENTIAL STRUCTURES AND TO DEFINE CLUSTER DEVELOPMENT.

PUBLIC HEARINGS

1. C/U #1550 -- application of **MICHAEL R. EMMETT, SR.** 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 39,600 square feet, more or less, lying south of Dune Road, 117.69 feet east of Route One and north of Cove Road, 190 feet east of Route One, and being Lots 54 and 55 and Lots 64 through 67 within Tower Shores Subdivision.
2. C/U #1532 -- application of **TRIANGLE ELECTRICAL SERVICE CO.** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for an electrical contractors office and storage to be located on a certain parcel of land

- lying and being in Georgetown Hundred, Sussex County, containing 1.0 acre, more or less, lying south of Route 9, 1,600 feet east of Route 319.
3. C/U #1533 -- application of **KYUNG CHO-MILLER** to consider the Conditional Use of land in a MR Medium Density Residential District for a multi-family dwelling structure (2 units) to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 6,000 square feet, more or less, lying south of Admiral Road, 260 feet east of Route One and 300 feet west of Ocean Road, and being Lot 5 within Tower Shores Subdivision.
 4. C/Z #1532 -- application of **E. F. AND MARTHA QUILLEN** to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to a B-1 Neighborhood Business District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, land lying west of Route 17, 1,195 feet south of Route 26, to be located on 22,497 square feet, more or less.
 5. C/Z #1537 -- application of **CHARLOTTE L. WHEATLEY** 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 north of Route 26, 900 feet east of Route 349A and 180 feet west of Grant's Avenue within Murray's Haven Subdivision, to be located on 27,000 square feet, more or less.
 6. Subdivision #2003-38 -- application of **BPG PROPERTIES, LLC** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Broadkill Hundred, Sussex County, by dividing 20.52 acres into 15 lots, located south of Road 252 (Huff Road), 1 mile east of Road 319 (Sand Hill Road).