



## *Planning & Zoning*

Agendas & Minutes

APRIL 29, 2004

The regular meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, APRIL 29, 2004, 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 April 15, 2004
- IV. Old Business
  1. Subdivision #2002-36 -- Oak Crest Farms, Inc. LJ  
Final
  2. Subdivision #2003-14 -- H.M. Properties, Route 23, L.L.C. LJ  
Preliminary
  3. Subdivision #2003-38 -- BPG Properties, LLC LJ  
Preliminary
  4. C/U #1526 -- Robino-Sanibel Village, L.L.C. JA
  5. C/Z #1535 -- Fenwick Commons, L.L.C. RL
  6. C/Z #1536 -- Sandy Landing, L.L.C. RL
  7. C/U #1532 -- Triangle Electrical Service Co. LJ
  8. C/Z #1537 -- Charlotte L. Wheatley RL
  9. Ordinance Amendment - Combined Highway Corridor Overlay
  10. Ordinance Amendment - Cluster Development
- V. Public Hearings

1. C/U #1565 -- State of Delaware/Facilities Management RW

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2. C/U #1534 -- Kevin A. Davis BG
3. C/U #1535 -- The Barn Yard LJ
4. C/U #1536 -- Mr. Natural Bottled Water RL
5. Subdivision #2003-28 -- CARD, L.L.C. LJ

VI. Other Business

1. Summerfield MR/RPC LJ  
Master Plan - Road 275 (Plantation Road)
2. Subdivision #2002-47 -- James C. Wells, Jr. JA  
Time Extension
3. C/U #1487 -- Ronald E. Gray RL  
Time Extension
4. Francis H. Prettyman LJ  
Lot on Existing 50' Right of Way - Road 254
5. Holly Lake Campground LJ  
Revised Units - Route 24

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: APRIL 16, 2004

OLD BUSINESS

1. Subdivision #2002-36 -- Subdivision #2002-36 application of **OAK CREST FARMS, INC.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 54.48 acres into 26 lots, located at the northwest corner of the intersection of Road 286 and Road 285.
2. 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.
3. 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).
4. 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.
5. 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.
6. 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.
7. 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.

8. 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.
9. 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.
10. 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 #1565 -- application of **STATE OF DELAWARE/FACILITIES MANAGEMENT** to consider the Conditional Use of land in a C-1 General Commercial District for a helipad (helicopter landing pad) to be located on a certain parcel of land lying and being in Northwest Fork Hundred, Sussex County, containing 5.0 acres, more or less, lying east of U.S. Route 13 and 800 feet south of the intersection with Route 404.
2. C/U #1534 -- application of **KEVIN A. DAVIS** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for an auto body repair shop to be located on a certain parcel of land lying and being in Broad Creek Hundred, Sussex County, containing 21.12 acres, more or less, lying at the northeast corner of Route 473 and Route 446.
3. C/U #1535 -- application of **THE BARN YARD** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for an amendment to Conditional Uses No. 1370 and No. 1443 by adding the sale of mulch, stone, and related landscape goods and to remove the wetland restriction to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 39.81 acres, more or less, lying north of Route 24 and 2,320 feet southwest of Route 284.

4. C/U #1536 -- application of **MR. NATURAL BOTTLED WATER** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for an office and warehousing for a bottled water company to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 5.0 acres, more or less, lying northwest of Route 17, 3,000 feet south of Route 353.
5. Subdivision #2003-28 -- application of **CARD, L.L.C.** to consider the Subdivision of land in a MR Medium Density Residential District in Lewes and Rehoboth Hundred, Sussex County, by dividing 115.29 acres into 234 lots, located east of Road 274 (Old Landing Road) approximately 3,750 feet south of Road 275.