



Planning & Zoning

Agendas & Minutes

JULY 28, 2005

The regular meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, JULY 28, 2005, 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 July 14, 2005
- IV. Old Business
 1. Subdivision #2003-44 – Michael and Kathy Mixon
Final – White Pine Cove JA
 2. Subdivision #2003-46 – Georgelas Group
Final – Beaver Creek MJ
 3. Subdivision #2004-4 – Wilma Howett
Final – Pintail Point JA
 4. Subdivision #2004-26 – Lawrence A. Biasotto
Final – The Fresh Pond RS
 5. Subdivision #2004-8 – Spring Breeze Associates
Preliminary – Spring Breeze MJ
 6. C/Z #1576 - Reynolds Pond, L.L.C. JA
 - 7 C/U #1614 – Beau Marr MJ
 8. C/U #1616 – Paul Kase MJ

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| 9 | C/U #1617 – Glen R. Jones | BG |
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- V. Public Hearings
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| 1. | APD #2005-1 – Gary L. O’Day | JA |
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| 2. | Subdivision #2004-38 – River Basin Engineering | MJ |
| 3. | C/Z #1577 – PGS Properties | RS |
| 4. | C/Z #1578 – PGS Properties | RS |
| 5. | C/Z #1579 – Sussex Lumber Land Company, LLC | RS |
| 6. | Ordinance Amendment – Chapter 115 – Placement Multisectional | |
| 7. | Ordinance Amendment – Chapter 115 – Garage/Studio Apartment | |
- VI. Other Business
- | | | |
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| 1. | Americana Bayside MR/RPC
Preliminary Site Plan – Phases 7a, 7b, 9a, 9b, 10a, 10b Route 54 | RS |
| 2. | Dr. Thomas Benz
Commercial Site Plan – U.S. Route 13 and Riverside Drive | RW |
| 3. | Beebe Medical Center
C/U #1559 – Revised Site Plan – Route 24 | MJ |
| 4. | Envirotech Storage Building
Commercial Site Plan – Road 273 (Hebron Road) | MJ |
| 5. | White Creek Landing MR/RPC
C/Z #1240 – Final Record Plan – Road 351 | RS |
| 6. | Subdivision #2003-25 – Richard N. Moonblatt
Time Extension – Road 233 | JA |
| 7. | Percy Frank Kelley, III
2 Lots on 50’ Right of Way – Road 544 | RW |
| 8. | Robert Marshall
Lot – Old Landing Golf Course – Road 274 | MJ |

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| 9. | Robert Muncy
2 Lots – Clifton Shores Drive (Prime Hook Beach) | JA |
| 10. | The Five Fifty Group, L.L.C.
Lot on 50' Right of Way – Route 9 | MJ |
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| 11. | Maria R. Huerta
Lot on 50' Right of Way – Road 611 | JA |
| 12. | South Woodland Subdivision
Temporary Right of Way – Road 78 | BG |
| 13. | Joseph L. Warnell
4 Lots – Road 207 and Road 214 | JA |

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: JULY 18, 2005

OLD BUSINESS

1. Subdivision #2003-44 -- application of **MICHAEL AND KATHY MIXON** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Broadkill Hundred, Sussex County, by dividing 13.51 acres into 10 lots, located west of Road 258, 1,790 feet south of Road 257.
2. Subdivision #2003-46 -- application of **GEORGELAS GROUP** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Broadkill Hundred, Sussex County, by dividing 210.342 acres into 272 lots, located north of Route 9, 1,860 feet east of Route 5 and east of Route 5, 1,700 feet north of Route 9.
3. Subdivision #2004-4 -- application of **WILMA HOWETT** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Broadkill Hundred, Sussex County, by dividing 41.90 acres into 44 lots, and a variance from the maximum allowed cul-de-sac length of 1,000 feet, located east and west of Road 258, 1,650 feet south of Delaware Route One.
4. Subdivision #2004-26 -- application of **LAWRENCE A. BIASOTTO** to consider the Subdivision of land in a MR Medium Density Residential District in Baltimore Hundred, Sussex County, by dividing 12.73 acres into 37 lots, located south of Hickman Road (Road 359), 1,800 feet east of Cedar Neck Road (Road 357).
5. Subdivision #2004-8 -- application of **SPRING BREEZE ASSOCIATES** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 139.62 acres into 235 lots, located north of Road 48 (Hollymount Road), 1,380 feet east of Road 285.
6. C/Z #1576 -- application of **REYNOLDS POND, 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 Cedar Creek Hundred, Sussex County, land lying at the intersection of Road 227 and Route 30, and southwest of Road 212, to be located on 826.84 acres, more or less.
7. C/U #1614 -- application of **BEAU MARR** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for welding and fabrication to be located on a certain parcel of land lying and being in Georgetown Hundred, Sussex

County, containing 41,915 square feet, more or less, lying east of Route 30, 550 feet south of Route 9 at Gravel Hill.

8. C/U #1616 -- application of **PAUL KASE** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for professional offices to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 41,611 square feet, more or less, lying at the southeast corner of Route 275 (Plantation Road) and Route 276 (Shady Road).
9. C/U #1617 -- application of **GLEN R. JONES** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for expansion of an existing RV campground (C/U No. 827) to be located on a certain parcel of land lying and being in Broad Creek Hundred, Sussex County, containing 56.7103 acres, more or less, lying south of Route 78A (Old Sailor Path), 0.4 mile south of Route 78 and north of Broad Creek.

PUBLIC HEARINGS

1. APD #2005-1 -- application of **GARY L. O'DAY** to consider an Agricultural Preservation District in an AR-1 Agricultural Residential Zoning District in Nanticoke Hundred for three (3) parcels of land totaling 205.1 acres, more or less, located on both sides of Route 42 (Chaplains Chapel), both sides of Route 40 (Redden Road) and north of Road 565 (Deer Forest Road) for the purpose of a recommendation to the Delaware Agricultural Lands Preservation Foundation.
2. Subdivision #2004-38 -- application of **RIVER BASIN ENGINEERING** to consider the Subdivision (Cluster Development) of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 65.00 acres into 126 lots, located south of Road 302, 0.4 mile east of Road 305 and Route 48 intersection.
3. C/Z #1577-- application of **PGS PROPERTIES** 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 Baltimore Hundred, Sussex County, land lying at the northeast corner of Route 54 and Road 381 (Old Mill Bridge Road), to be located on 6.49 acres, more or less.
4. C/Z #1578 -- application of **PGS PROPERTIES** to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to a HR-1 High Density Residential District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, land lying 600 feet north of Route 54 and 190 feet east of Road 381 (Old Mill Bridge Road), to be located on 12.68 acres, more or less.
5. C/Z #1579-- application of **SUSSEX LUMBER LAND COMPANY, 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 Dagsboro Hundred, Sussex County, land lying 325 feet northeast of Road 83 and 600 feet northeast of U.S. Route 113, to be located on 2.0 acres, more or less.

6. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, ENTITLED "ZONING", TO AMEND THE PROVISIONS RELATING TO THE PLACEMENT OF MULTISECTIONAL MOBILE HOMES ON FIVE (5) ACRES OR LESS IN AN AR-1 DISTRICT.
7. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY TO DEFINE A GARAGE/STUDIO APARTMENT AND TO PERMIT SUCH APARTMENTS WITH PARKING AS SPECIAL EXCEPTIONS IN AR-1, AR-2, AND MR DISTRICTS.