



Planning & Zoning

Agendas & Minutes

NOVEMBER 18, 2004

The regular meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, NOVEMBER 18, 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 October 21, 2004
Approval of Minutes of October 28, 2004

IV. Old Business

1. C/Z #1552 -- Nassau Grove, L.L.C. LJ
2. C/Z #1554 -- Marine Farm, L.L.C. LJ
3. C/Z #1556 -- Douglas W. Brockway LJ
4. C/U #1568 -- Douglas W. Brockway LJ
5. C/Z #1557 -- Muddy Neck, L.L.C.
6. C/U #1567 -- William H. Prettyman, Jr. LJ
7. C/U #1569 -- Mountaire Farms of Delaware, Inc. LJ
8. C/U #1570 -- Mountaire Farms of Delaware, Inc. LJ
9. C/U #1573 -- Robert Burton, Double R Holdings, LLC LJ
10. Subdivision #2002-43 -- Boca East, L.L.C. LJ
Final - Phase 1

V. Public Hearings

1. Subdivision #2004-26 -- Lawrence A. Biasotto

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| 2. | C/U #1574 -- Ray A. Ellis | BG |
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| 3. | C/Z #1558 -- Rehoboth Canal Ventures, L.L.C. | LJ |
| 4. | C/Z #1559 -- Greg Ivanoff | LJ |
| 5. | C/Z #1565 -- Allen Family Foods, Inc. | LJ |
| VI. Other Business | | |
| 1. | The Vineyards at Nassau Valley
Revised Preliminary Site Plan - Route 9 | LJ |
| 2. | Midway Highway, L.L.C.
Commercial Site Plan - Route 1 | LJ |
| 3. | Subdivision #2003-50 -- Kaplan, Gallo & Howett
Request for Reconsideration | JA |
| 4. | Subdivision #2003-51 -- Morris Mill Pond, L.L.C.
Request for Reconsideration of Conditions of Approval | LJ |
| 5. | C/U #1462 -- Dr. Michael and Judith Poleck
Time Extension - Route 9 | JA |
| 6. | Ron Cross
Lot on 50' Right of Way - Road 520 | LJ |

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 29, 2004

OLD BUSINESS

1. C/Z #1552 -- application of **NASSAU GROVE, 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 Lewes and Rehoboth Hundred, Sussex County, land lying southwest of the intersection of Route One and Route 265 (Minos Conaway Road), to be located on 112.28 acres.
2. C/Z #1554 -- application of **MARINE FARM, 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 Lewes and Rehoboth Hundred, Sussex County, land lying southeast of Beaver Dam Road (Road 285) and southwest of Jim Town Road (Road 285A), to be located on 373.82 acres, more or less.
3. C/Z #1556 -- application of **DOUGLAS W. BROCKWAY** 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 Indian River Hundred, Sussex County, land lying west of Route 288 (Wil-King Road), 4,100 feet north of Route 280-B, to be located on 1.67 acres, more or less.
4. C/U #1568 -- application of **DOUGLAS W. BROCKWAY** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a boat repair and accessory installation business to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 1.67 acres, more or less, lying west of Route 288 (Wil-King Road), 4,100 feet north of Road 280-B.
5. C/Z #1557 -- 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 south of Double Bridges Road (Route 363), 1,100 feet southwest of Muddy Neck Road (Route 361), to be located on 64.16 acres, more or less, and being lands of **MUDDY NECK, L.L.C.**
6. C/U #1567 -- application of **WILLIAM H. PRETTYMAN, JR.** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for an addition to an existing campground to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 10.09 acres, more or less, lying north of Route 254, 1.0 mile west of Route 9.

7. C/U #1569 -- application of **MOUNTAIRE FARMS OF DELAWARE, INC.** (Cordrey Tract and Frame Tract) to consider the Conditional Use of land in an AR-1 Agricultural Residential District for land application of bio-solids from Mountaire wastewater treatment systems to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 376.32 acres, more or less, lying with the Cordrey Tract lying 450 feet east of Route 305 and 450 feet south of Route 297, and with the Frame Tract lying south of Route 314, east of Route 30 and west of Route 305.
8. C/U #1570 -- application of **MOUNTAIRE FARMS OF DELAWARE, INC.** (Colony Tract) to consider the Conditional Use of land in an AR-1 Agricultural Residential District for land application of bio-solids from Mountaire wastewater treatment systems to be located on a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, containing 80.0 acres, more or less, lying northeast of Route 326, across from Route 329 and north of Route 86.
9. C/U #1573 -- application of **ROBERT BURTON, DOUBLE R HOLDINGS, LLC** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for medical/professional offices to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 3.40 acres, more or less, lying southwest of Plantation Road (Road 275), 2,400 feet southeast of Cedar Grove Road and Postal Lane, and 1,900 feet northwest of Route 24.
10. Subdivision #2002-43 -- application of **BOCA EAST, LLC** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 258.11 acres into 180 lots, located east of Road 279, 0.9 mile southeast of Road 277.

PUBLIC HEARINGS

1. 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).
2. C/U #1574 -- application of **RAY A. ELLIS** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for mud bog racing to be located on a certain parcel of land lying and being in Gumboro Hundred, Sussex County, containing 17.94 acres, more or less, lying east of Route 445A, 1,900 feet east of Route 61.

3. C/Z #1558 -- application lands of **REHOBOTH CANAL VENTURES, L.L.C.** to amend the Comprehensive Zoning map from an AR-1 Agricultural Residential District to a HR High Density Residential District for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, land lying west of the Lewes and Rehoboth Canal, 450 feet southwest of Route One, to be located on 5.0 acres, more or less.
4. C/Z #1559 -- application of **GREG IVANOFF** 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 Lewes and Rehoboth Hundred, Sussex County, land lying at the northwest corner of Plantation Road (Route 275) and Cedar Grove Road (Route 283), to be located on 16.49 acres, more or less.
5. C/Z #1565 -- application of **ALLEN FAMILY FOODS, INC.** to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District and MR Medium Density Residential District to a HI-1 Heavy Industrial District for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, land lying west of Route 5, 0.25 mile south of Route 9 at Harbeson, to be located on 2.60 acres, more or less.