

THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 27, 2020

The regular meeting of the Sussex County Planning and Zoning Commission was held on Thursday evening, February 27, 2020 in the County Council Chamber, Sussex County Administration Office Building, Georgetown, Delaware.

The meeting was called to order at 6:00 p.m. with Chairman Wheatley presiding. The following members of the Commission were present: Mr. Robert Wheatley, Ms. Kim Hoey-Stevenson, Mr. Keller Hopkins, Ms. Holly Wingate - Absent, Mr. J. Bruce Mears, with Mr. Vincent Robertson – Assistant County Attorney, Mr. Jamie Whitehouse – Acting Director of Planning & Zoning, and Ms. Jennifer Norwood – Planner I.

Mr. Whitehouse noted that the following changes to the Agenda:

1. A request to withdraw C/Z 1905 – George Cole Jr. & Charles Cole.
2. A request to withdraw the following items under other business:
 - a. the request to revise conditions of 2019-2 Old Mill Landing South Subdivision.
 - b. the request to revise conditions of 2019-13 Old Mill Landing North Subdivision.

Motion by Mr. Hopkins, seconded by Mr. Mears and carried unanimously to approve the Agenda as amended. Motion carried 4-0.

Mr. Whitehouse noted that there were some minor changes to the minutes as circulated. Motion by Ms. Stevenson, seconded by Mr. Hopkins to approve the minutes from January 9, 2020 and January 23, 2020, meetings as revised. Motion carried 4-0.

OLD BUSINESS

2019-31 Arturo Granados-Gonzalez

This is a standard subdivision to divide 2.153 acres +/- into 2 single family lots to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County. The property is lying on the south side of Burbage Road approximately 400 ft. west of Jones Road. Tax Parcel: 134-14.00-20.04. Zoning District. AR-1 (Agricultural Residential District).

Mr. Mears moved that the Commission grant preliminary approval for Subdivision 2019-31 Arturo Granados-Gonzalez based upon the record and for the following reasons:

1. The proposed subdivision generally meets the purpose of the subdivision ordinance in that it protects the orderly growth of the county.
2. The land is zoned AR-1 Agricultural Residential, the proposed subdivision density of two lots on 2.153 acres of land is less than the allowable density in the AR-1 zone.
3. The proposed subdivision will be consistent with the area and will not adversely affect nearby uses or property values.
4. The proposed subdivision will not adversely impact schools, public buildings and community facilities.

5. The proposed subdivision will not adversely traffic on the area roadways.
6. Both lots will have direct frontage on Burbage Road, therefore, no internal road is required.
7. Given the small size of the subdivision a waiver from the buffer requirements is appropriate.
8. The preliminary approval is subject to the following conditions:
 - A. There shall be no more than 2 lots within the subdivision.
 - B. The entrance shall comply with all DeIDOT requirements.
 - C. The Final Site Plan shall be subject to the review and approval of Sussex County.

Motion by Mr. Mears, seconded by Mr. Hopkins, and carried unanimously to approve the subdivision for the reasons and conditions stated in the Motion. Motion carried 4-0.

C/U 2211 – Indian River School District

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a special needs school to be located on a certain parcel of land lying and being in Dagsboro hundred, Sussex County, containing 32.43 acres, more or less. The property is lying on east side of Patriots Way approximately 0.73 mile south of Zoar Road. 911 Address: N/A. Tax Parcel: 133-7.00-8.01

Mr. Hopkins moved that the Commission recommend approval of C/U 2211 for Indian River School District for a Special Needs School, based upon the record made during the public hearing and for the following reasons:

1. The use if for a public purpose, a new special needs school for the children and families of Sussex County.
2. A new special needs school will promote the health, safety, and welfare of Sussex County residents and their children.
3. The site is appropriate for this use. It is in a location directly across from the existing Sussex Central High School, this site is centrally located within the Indian River School District and Sussex County.
4. This new school is needed to replace the aging Howard T. Ennis School which is located on the Del Tech campus.
5. Based upon the information presented during the public hearing, there is the need for an additional special needs school in this area of Sussex County.
6. The use will not adversely affect neighboring properties or roadways.
7. No parties appeared in opposition to this application.
8. This recommendation is subject to the following conditions:
 - A. The site shall comply with all DeIDOT entrance and roadway improvements requirements.
 - B. The site shall comply with all requirements of the Sussex Conservation District.
 - C. Signage shall be permitted on the site in accordance with the sign regulations applicable to the I-1 Institutional Zone.
 - D. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Hopkins, seconded by Ms. Stephenson, and carried unanimously to recommend approval for the reasons and with the conditions stated in the Motion. Motion carried 4-0.

PUBLIC HEARINGS

Mr. Wheatley noted that there are no public hearings as C/Z 1905 – George Cole Jr. & Charles Cole was withdrawn from the agenda.

OTHER BUSINESS

Dolle's Candyland (S-20-03)

Preliminary Site Plan

This is a Preliminary Site Plan for a proposed 5,125 sq. ft. building for the retail production and storage of Good's Candy. The Site shall include 12 parking spaces and associated site improvements on a 1-acre parcel of land accessed from Coastal Highway (Route 1). Additionally, the site lies within the Combined Highway Corridor Overlay Zoning District. The Preliminary Site Plan complies with the Sussex County Zoning Code. The Tax Parcel is 235-16.00-16.00. The zoning is C-1 General Commercial, and Staff are awaiting agency approvals.

Motion by Ms. Stevenson, seconded by Mr. Hopkins, and carried unanimously to approve the Preliminary Site Plan with final approval by staff subject to receipt of all agency approvals. Motion carried 4-0.

MFC Murphy LLC (S-18-92)

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for a proposed 1,550 sq. ft. office addition and two proposed storage buildings measuring 7,200 sq. ft. each and other associated site improvements on a 2.279-acre parcel of land accessed from Zion Church Road. The Applicant is requesting approval for relief from the interconnectivity requirement for commercial uses. The Revised Preliminary Site Plan otherwise complies with Sussex County Zoning Code. The Tax Parcel is 533-11.00-76.02. The zoning is B-1 Neighborhood Business, and Staff are awaiting agency approvals.

Motion by Mr. Mears, seconded by Mr. Hopkins, and carried unanimously to approve the Revised Preliminary Site Plan with final approval by staff subject to receipt of all agency approvals. Motion carried 4-0.

The Woodlands Revised Amenity Plan (2005-49)

Revised Amenities Plan

This is a Revised Amenities Plan for the construction of a proposed 2,702 sq. ft. clubhouse and associated site improvements. The Planning and Zoning Commission approved a Final Amenities Plan on June 27, 2019 for two swimming pools and a bathhouse. The applicant is seeking a provision to allow for parking in the front yard setback, there will be two parking spaces in front yard setback with the remaining parking spaces beyond the front yard setback. If the request is granted the Revised Amenities Plan otherwise complies with Sussex County Zoning Code. The Tax Parcel is 134-19.00-30.02. The zoning is MR Medium Residential, and Staff are awaiting agency approvals.

Ms. Stevenson asked if the request to allow parking in the front setback is off a private or public road. Mr. Whitehouse responded that it is off a private road within the development.

Motion by Mr. Mears, seconded by Mr. Hopkins, and carried unanimously to approve the Revised Amenity Plan. Motion carried 4-0.

Cross Key Village Subdivision

Preliminary Minor Subdivision

This is a Preliminary Plan for a Minor Subdivision for the subdivision of three lots - proposed lot parcel A will measure 7.74 acres, parcel B will measure 8.20 acres and parcel C will measure 6 acres. The proposed outlot A will measure 0.34 acre and the residual lands will measure 9.84 acres off of a 50 ft. easement over an existing driveway located off of Phillips Hill Road. The Preliminary Minor Subdivision complies with the Sussex County Subdivision Code. The Tax Parcel is 133-19.00-31.00. The Zoning District is AR-1 Agricultural Residential and Staff are awaiting agency approvals.

Motion by Ms. Stevenson, seconded by Mr. Hopkins, and carried unanimously to approve the Preliminary Minor Subdivision with final approval by staff subject to receipt of all agency approvals. Motion carried 4-0.

Mr. Wheatley noted that the request to revise conditions for 2019-2 Old Mill Landing South Subdivision and 2019-13 Old Mill Landing North Subdivision were withdrawn from the agenda and will not be discussed.

ADDITIONAL BUSINESS

There was no additional business.

Meeting adjourned at 6:13 p.m.

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