

MINUTES OF THE SPECIAL MEETING OF MARCH 1, 2001

A special meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, March 1, 2001 in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

The meeting was called to order at 7:00 P.M. with Chairman Allen presiding. The following members of the Commission were present: Mr. Allen, Mr. Gordy, Mr. Johnson, and Mr. Lynch, with Mr. Berl - Assistant County Attorney, Mr. Lank - Director, and Mr. Abbott - Assistant Director.

Motion by Mr. Lynch, seconded by Mr. Gordy, and carried unanimously to approve the agenda as circulated.

Motion by Mr. Johnson, seconded by Mr. Lynch, and carried unanimously to approve the Minutes of February 8, 2001 as circulated.

IV. OLD BUSINESS

C/Z #1420 - application of **REHOBOTH GOLF PROPERTIES, LLC** 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 certain parcels of land lying and being in Lewes and Rehoboth Hundred, Sussex County, land lying on the northwesterly side of Road 273 (Country Club Road), 0.2 mile south of Kingsbridge Road within Rehoboth Beach Yacht and Country Club, to be located on 52.7027 acres, more or less.

The Commission discussed the points and issues raised during the public hearing on January 25, 2001.

Motion by Mr. Lynch, seconded by Mr. Johnson, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be approved with the stipulation that the project be limited to single-family residential dwellings only, with no multi-family units.

Vote carried 4 - 0.

C/Z #1421 - application of **ABRAHAM P. KOROTKI** 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 certain parcels of land lying and being in Baltimore Hundred, Sussex County, land lying west of Woodland Avenue and south of Ocean View Town Limits, to be located on 96.12 acres, more or less.

The Commission discussed the points and issues raised during the public hearing on February 8, 2001.

Motion by Mr. Lynch, seconded by Mr. Gordy, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be approved with the stipulation that the number of units be reduced to not exceed 261 units. Whether the housing units are single-family dwellings or multi-family units may be determined by the developer.

Vote carried 4 - 0.

C/Z #1422 - application of **KEVIN W. SAGERS AND LAURIE, DAVID J. ENNIS AND PATRICIA, WAYNE E. VAETH AND GLENDA J. JACKSON** to amend the Comprehensive Zoning Map from a MR Medium Density Residential District to an AR-1 Agricultural Residential District for a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, land lying southeast of Route 336, 210 feet southwest of Route 336-A, to be located on 12.08 acres, more or less.

The Commission discussed the points and issues raised during the public hearing on February 8, 2001.

Mr. Lynch advised the Commission that he was not participating in the discussion since he did not participate in the public hearing.

There was a consensus of the Commission that they were concerned about the use of manufactured homes in the area.

Motion by Mr. Gordy, seconded by Mr. Johnson, and carried with three (3) votes to forward this application to the Sussex County Council with a recommendation that the application be denied.

Vote carried 3 - 0. Mr. Lynch not voting.

SUBDIVISION #98-8 - application of **RONALD HASTINGS** to consider the Subdivision of land in an AR-1 Agricultural Residential Zoning District in Nanticoke Hundred by dividing 28.95 acres into twenty eight (28) lots, located east of Greenleaf Lane within Rivers End Subdivision approximately 1,650 feet southeast of Road 530.

Mr. Abbott advised the Commission that the final record plan is similar to the preliminary plan; that the plan meets the requirements of the subdivision and zoning codes; and that all required agency approvals have been obtained.

Motion by Mr. Gordy, seconded by Mr. Lynch, and carried unanimously to approve the record plan as a final.

Vote carried 4 - 0.

V. OTHER BUSINESS

Creekwood Phase II Preliminary Multi-Family Site Plan - Route One

Gene Lankford was present as the Commission reviewed a preliminary site plan for multi-family units located off of Route One near Rehoboth.

Mr. Abbott advised the Commission that 120 units are proposed; that the site is zoned C-1, General Commercial and contains 10.11 acres; that the staff has received a letter of no objection from DelDOT concerning the entrance location; that Phase I of the project is to the rear of this site and was approved for 32 units by Conditional Use No. 1278; that Phase I received preliminary approval from the Commission on October 12, 2000; that five (5) three (3) story buildings are proposed with twenty-four (24) units each; that 282 parking spaces are proposed and that the Board of Adjustment granted a variance from the 320 spaces required on February 5, 2001; that the parking calculates to 2.35 spaces per unit; that a swimming pool and office are proposed; that central sewer provide by Sussex County and central water provided by Tidewater Utilities is proposed; that the setbacks meet the requirements of the zoning code; that the final site plan needs to show the twenty (20) foot landscaped buffer along Route One; and that the site plan is suitable for preliminary approval.

Mr. Lankford advised the Commission that construction has not begun yet on Phase One; and that the only access to the site is from Route One at this time.

Motion by Mr. Lynch, seconded by Mr. Gordy, and carried unanimously to approve the site plan as a preliminary.

Greenwood Auto Parts Site Plan - Addition to Non-conforming Use - Road 589

Mr. Allen advised the Commission that Mr. Wheatley would like to be able to participate in this discussion and recommended that this be deferred.

Motion by Mr. Lynch, seconded by Mr. Johnson and carried unanimously to defer action.

Ellison Bunting C/U # 84 Revised Site Plan - Road 331

The Commission reviewed a revised site plan for Conditional Use No. 84 located near Dagsboro.

Mr. Abbott advised the Commission that the owners would like to replace an existing 40' by 48' garage with a 50' by 100' garage; that the location of the garage will be the same; that C/U # 84 was approved by the County Council on October 12, 1972; and that the setbacks meet the requirements of the zoning code.

Motion by Mr. Lynch, seconded by Mr. Gordy and carried unanimously to approve the revised site plan as submitted.

Walston Walk Subdivision
Revised Lots 22 and 28 - Walston Walk Court

The Commission reviewed a revised subdivision plan for Walston Walk Subdivision located off of Road 361 near Bethany Beach.

Mr. Abbott advised the Commission that 742 square feet of lot 28 will be conveyed to lot 22; that both lots still meet the minimum square footage requirements; and that all lot owners in Walston Walk Subdivision are aware of the proposed change and have no objections.

Motion by Mr. Lynch, seconded by Mr. Johnson and carried unanimously to approve the resubdivision as submitted.

Subdivision #98-9 - Gary Watson
Time Extension - Road 465

The Commission reviewed a request for a six- (6) month time extension in order to obtain final subdivision plan approval.

Mr. Abbott advised the Commission that action was deferred at the public hearing on November 19, 1998; that the Commission granted preliminary approval on January 28, 1999 and revised preliminary approval on February 25, 1999; that the preliminary approval is valid for one-year; that a letter was sent to the owner and surveyor on October 5, 1999 advising what revisions needed to be made to the final plan and what agency approvals are required; that from October 5, 1999 through January 29, 2001 no correspondence was received; and that on January 30, 2001 a letter requesting a six month time extension was received from the surveyor.

Motion by Mr. Gordy, seconded by Mr. Lynch and carried unanimously to deny the time extension request. The preliminary approval for this subdivision is now void.

Huffy Power
Preliminary Commercial Site Plan - Route 9 and Road 46

The Commission reviewed a commercial site plan for small engine repairs and sales located west of Georgetown.

Mr. Abbott advised the Commission that the site is zoned B-1, Neighborhood Business; that the use is permitted; that the existing building will be utilized; that four parking spaces are proposed; and that all agency approvals have been obtained.

Motion by Mr. Johnson, seconded by Mr. Gordy and carried unanimously to approve the site plan as submitted.

John and Janet Macklin
C/U #988 Revised Site Plan - Road 206

The Commission reviewed a revised site plan for a demolition business located near Lincoln.

Mr. Abbott advised the Commission that the owner would like to build a 32' by 28' building adjacent to the existing building; that the location is approximately the same as an existing building that will be demolished; and that all agency approvals have been obtained.

Motion by Mr. Lynch, seconded by Mr. Gordy and carried unanimously to approve the revised site plan as submitted.

Oaklawn Estates, Inc.
Revised Subdivision - Road 553

The Commission reviewed a revised subdivision plan west of Seaford.

Mr. Lank advised the Commission that this subdivision was formerly known as Silo Acres; that the revised subdivision is for 4 lots, residual lands and an extension to lot 4; and an extension of an existing road.

Motion by Mr. Gordy, seconded by Mr. Lynch and carried unanimously to approve the revised subdivision as submitted.

Subdivision #2000-18 - Smokey Hollow, LLC
Street Discussion - Road 390

Mr. Abbott advised the Commission that this application received preliminary approval in August 2000; that the preliminary plan stated that the road improvements would be crusher run stone but the application did not state this; that since the lots are greater than 2 acres, stone would have been permitted at the time of the application.

Motion by Mr. Lynch, seconded by Mr. Gordy and carried unanimously to permit the crusher run stone as previously approved.

Meeting adjourned at 8:00 P.M.