

MINUTES OF THE REGULAR MEETING OF JUNE 8, 2017

The regular meeting of the Sussex County Planning and Zoning Commission was held on Thursday evening, June 8, 2017 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, Mr. Doug Hudson, Mr. Keller Hopkins, Mr. Martin Ross, Ms. Kimberly Hoey-Stevenson, with Mr. Vincent Robertson – Assistant County Attorney, Ms. Janelle Cornwell – Director – Absent, Mrs. Jennifer Walls - Planning Manager, and Ms. Christin Headley-Recording Secretary.

Motion by Mr. Ross, seconded by Mr. Hopkins, and carried unanimously to approve the Agenda as revised. Motion carried 5-0

Motion by Mr. Ross, seconded by Mr. Hudson, and carried unanimously to approve the Minutes for May 11, 2017 and May 18, 2017 as submitted. Motion carried 5-0.

ADDITIONAL BUSINESS

Discussion regarding of the Comprehensive Plan

None

Opportunity for public comment regarding Comprehensive Plan

None

OLD BUSINESS

C/U #2076 Joseph Mark Zdurienick

An Ordinance to grant a Conditional Use of land in a GR (General Residential District) for an event venue to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 62.157 acres, more or less. The property is located on the north side of Johnson Rd in the Smokey Hollow development. 911 Address: None Available. Tax Map I.D. 533-18.00-20.01 through 20.10

The Commission discussed this application which has been deferred since May 11, 2017.

Mr. Hudson stated that he would move that the Commission recommend approval of Conditional Use 2076 for Joseph Mark Zdurienick for an event venue based upon the record and for the following reasons:

1. This site is with a subdivision owned entirely by the applicant. The entire size of the applicant's property is 62.157 acres. This is an appropriate location for an event venue.
2. The use will be limited in scope, and will not require any significant additional permanent structures on the property.

3. The use of the 62 acre site for outdoor weddings and receptions on a limited basis is not inconsistent with the surrounding residential uses.
4. With the conditions and limitations placed upon the Conditional Use, it will not adversely affect neighboring or adjacent properties or area roadways.
5. No parties appeared in opposition to the application.
6. The use is a benefit to Sussex County residents and visitors by providing a location for wedding receptions and similar outdoor events in a convenient area.
7. This recommendation is subject to the following conditions:
 - A. All events shall end no later than 11:00 p.m.
 - B. Food and beverage service and music or similar entertainment is permitted.
 - C. Portable toilet facilities may be permitted during any event as needed.
 - D. All parking areas shall be generally shown on the Final Site Plan. No parking shall be permitted on any nearby County Roads.
 - E. The interior drive and parking area shall contain sufficient space for vehicles and shuttle buses to turn around completely on the site.
 - F. All entrance locations shall be subject to the review and approval of DelDOT.
 - G. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Hudson, seconded by Mr. Ross, and carried unanimously to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons and with the stipulations stated. Motion carried 5-0.

C/U #2077 Joy Marshall Ortiz

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for a campground to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 4.199 acres, more or less. The property is located on the north side of Cordrey Rd., approximately 800 ft. west of Streets Rd. 911 Address: None Available, Millsboro. Tax Map I.D. 234-28.00-56.04

The Commission discussed this application which has been deferred since May 18, 2017.

Mr. Hopkins stated that he would move that the Commission recommend denial of Conditional Use 2077 for Joy Marshall Ortiz for a campground in a AR-1 district based upon the record and for the following reasons:

1. The use as a campground is not appropriate for this location. It is within a 3 lot subdivision, and each of the lots was approved for single family residential development consistent with the under lying AR-1 (Agricultural Residential District) zoning.
2. The location does not have direct frontage onto a County Road. The use as a campground is not appropriate for this type of location.
3. The use will require tenants or occupants to travel down a 50 foot wide easement across a residential property owned by another person. The traffic generated by 10 to 12 tiny-

house campers rented for the night, weekend, week or month is incompatible with this residential driveway easement.

4. It is apparent from the presentation made during the hearing that these structures are not intended to be temporary, Instead, they are intended to be residences in a community atmosphere more consistent with a manufactured home community. This site does not satisfy the requirements for a manufactured home community.
5. The property owner directly adjacent to the site appeared in opposition and stated that:
 - (a) the use will adversely affect the use and enjoyment of his property,
 - (b) that he is concerned about the traffic that will need to use the easement across his property to gain access to the campground, and
 - (c) that the easement was not intended for commercial use.
6. There are other more appropriate locations for a campground such as this with road frontage where commercial activities exist to support the camping operation, and where infrastructure such as central sewer is available.

Motion by Mr. Hopkins, seconded by Ms. Stevenson, and carried unanimously to forward this application on to the Sussex County Council with the recommendation that the application be denied for the reasons and with the condition stated. Motion carried 5-0.

C/U #2078 Sunlight Ventures, Ltd.

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for a professional office to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 0.974 acres, more or less. The property is located on the north side of Lewes-Georgetown Hwy. (Rt. 9), approximately 791 ft. west of Arabian Acres Rd. 911 Address: 29003 Lewes-Georgetown Hwy., Lewes. Tax Map I.D. 334-4.00-84.00

The Commission discussed this application which has been deferred since May 18, 2017.

Mr. Hudson stated that he would move that the Commission recommend approval of Conditional Use 2078 for Sunlight Ventures, Ltd. for a professional office based upon the record and the following reasons stated:

1. The proposed Conditional Use is generally similar to other uses in the vicinity of the property along Route 9. There are other small business uses and this office will maintain a residential character that is consistent with the residences that also exist in this area.
2. The uses as an office for an architecture firm will not generate a lot of traffic.
3. The project, with the conditions and stipulations placed upon it, will not have an adverse impact on the neighboring properties, community or traffic.
4. The use as an office for an architectural firm provides a convenient location for this service that will benefit the health, safety and welfare of Sussex County residents.
5. No parties appeared in opposition to this application.
6. The approval of this small office use should not be considered an endorsement of future rezoning or conditional use applications for large or more intensive uses along the Route 9 corridor.
7. This recommendation for approval is subject to the following conditions and stipulations:

- A. There will only be one un-lighted sign on the premises that shall not exceed 32 square feet on each side.
- B. Any security lights shall only be installed on the buildings and shall be screened so that they do not shine on neighboring properties or roadways.
- C. As proposed by the Applicant, the hours of Operation shall be limited to between 8:00 am and 5:00 pm, Monday through Saturday.
- D. This approval is limited to the office proposed during the public hearing. The Sussex County Planning and Zoning Commission shall consider whether any future proposed expansion shall require a new public hearing.
- E. The structure on the site shall maintain a residential character and appearance.
- F. The use shall be limited to professional office uses such as the architecture office proposed by the Applicant. There shall not be any contractor's offices or uses that primarily involve retail sales.
- G. The Applicant must comply with all DeIDOT requirements concerning the entrance and roadway improvements.
- H. The Final Site Plan shall include a landscape plan for the property.
- I. The site plan shall be subject to approval of the Planning and Zoning Commission.

Motion by Mr. Hudson, seconded by Ms. Stevenson, and carried unanimously to forward this application on to the Sussex County Council with the recommendation that the application be approved for the reasons and with the stipulations stated. Motion carried 5-0.

PUBLIC HEARINGS

Mr. Robertson described how the public hearings are processed.

The Commission consolidated the first two hearings into one presentation. There will be two separate votes when action is taken.

Mr. Wheatley recused himself from participating in the discussion for this application and Mr. Ross will oversee this application.

C/U #2079 Clean Bay Renewables, LLC, Sussex II

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for an electrical generation and nutrient recovery facility to be located on a certain parcel of land lying and being in Georgetown Hundred, Sussex County, containing 23.12 acres, more or less. The property is located on the east side of Sand Hill Rd. and north side of Lewes-Georgetown Hwy. (Rt. 9). 911 Address: 22349 Lewes-Georgetown Hwy., Georgetown. Tax Map I.D. 135-15.00-55.01

C/U #2080 Clean Bay Renewables, LLC, Sussex I

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for an electrical generation and nutrient recovery facility to be located on a certain parcel of land lying and being in Georgetown Hundred, Sussex County, containing 29.38 acres, more or less. The property is located on the east side of Sand Hill Rd. and the north side of Lewes-Georgetown Hwy. (Rt. 9). 911 Address: 22349 Lewes-Georgetown Hwy., Georgetown. Tax

Map I.D. 135-15.00-55.01

Mrs. Walls advised the Commission that submitted into record as part of the application were comments received from staff analysis, NRCS, Sussex Conservation District, Delaware Coastal Airport and from the Sussex County Utility Planning Division, Town of Georgetown, Preliminary Lands Use from Office of State Planning; and that the applicant submitted an exhibit book.

The Commission found Dennis Schrader, Attorney with Morris James, Tim Spangler, Principal of Clean Bay I & II, Robert Rauch, Engineer with Rauch Engineering, and Dr. Kristi Shaw, Engineer, with Rauch Engineering, were present on behalf of the application; that Mr. Schrader spoke that the property is owned by Ken Adams; that property is located on Route 9 behind what once was a race track; that the 2 applications do not cover the total acreage; that the application is a request to use property for business to use poultry litter to generate electricity; that the property is in the State Strategies Level 2; that the property has on-site septic and on-site well; that there may be some wetlands on the property; that Mr. Spangler spoke he is the Founder and Chairman of both Companies; that they are developing multiple sites in Maryland; that Clean Bay is not a poultry pelletization or incineration operation; that the trucks will back up to hoppers with conveyor systems to convey the products into the hopper and mix into water; that it takes about 15 minutes for the truck to unload; that once the trucks have unloaded, the system is closed; that the product is 26 to 27 percent moisture; that the litter enters the mix tank which is completely closed for 1 day; that this process will remove pathogens; that then it will be moved to the primary digesters for 2 to 5 days; that then it moves to the secondary digesters via an enclosed piping system; that the gas moves to engines to clear up the gas for air quality control and then it generates electricity; that a fermentation process is used to produce methane gas that creates energy; that the site selection was due to feed stock availability that is readily available in Sussex County; that they are aware of the residential and recreational uses nearby; that the site design has been adjusted to mitigate concerns such as traffic and smells; that a fifty (50) foot right-of-way from Sand Hill Rd will be the entrance for Clean Bay I and the entrance for Clean Bay II will be from Route 9; that they have contracts with poultry litter brokers; that there will be up to 24 trucks per day with 12 trucks per facility; that the process is economically viable and the facility is environmentally sustainable; that the nutrient recovery facility will be used for leftover liquid minerals; that all phosphorus product recovery will be shipped offsite; that the recovered nitrogen and potassium will be sold to local farmers; that half of the revenue is electricity and half of the revenue is nutrient recovery; that the number of employees will be 25 to 30 between the 2 facilities; that they are automated high tech facilities; that there will be about an 18 month construction period; that there will be 80 employees onsite during construction; that Mr. Rauch spoke that there are offsite traffic issues; that there will be 2 entrances available; that the flexibility to manage traffic by utilizing both entrances; that a traffic management plan will mandate times the traffic is allowed based on traffic patterns; that the facility will be a 24 hour facility; that the truck traffic will be less than 1 percent the traffic; that Dr. Shaw spoke the highest environmental standards are in mind; that both facilities consider both air quality and water quality; that there will be low nox (nitrogen) producing generators so emissions do not impact neighborhood; that the generators will have to meet all DNREC requirements; that the odor, noise and dust are in an anaerobic process which is oxygen free environment making facilities closed to make sure no exposure to outside air; that the only sense of odor would be

from the truck which would be 2 per hour; that there can be sprinklers to keep dust down; that there will be vegetation to screen dust, noise, and odor; that entire perimeter will have a vegetation buffer and fencing; that there will be monitors to regulate air quality; that the water and the waste comes back to the front end of the process and will not be discharged; that there will be containment facilities for any leakage from tanks; that a Regulatory Advisory Service (RAS) meeting with DNREC wanted and a report was issued; that the reports noted this would be a good area because interconnection with electrical grid has available; that facility won't be noticeable with vegetation screening; that there was community outreach with Cheer, Little Einsteins Daycare, and Sussex Academy; that there could be potential for internships in the STEM projects in advanced science; that the stormwater moves away from adjacent property ditch; that there were concerns with truck routes; that the litter will be unloaded on conveyors to eliminate odor and waste; that odor analysis will continue to be conducted as they move forward with the project; that they will be hauling 6 days a week (Monday – Saturday); that they are only applying for 6 megawatts as of now, for each site; that the site can never be larger than 9 megawatts; that a substation will be constructed; that the litter reception area is more of a canopy; that the hours of operation of receiving and sending products are 7:00 am to 7:00 pm (Monday – Saturday); and that there could be up to 28 trucks when at a full 9 megawatt capacity.

The Commission found that there were no parties in support to this application.

The Commission found that Patricia Oliphant, represent Sussex Academy. Ken Bock, Executive Director of Cheer; Joe Schell, representing Sussex Sport Center Foundation; Pete Townsend, representing Sports at the Beach; Kay Mumford and Stephanie Lynch, representing Little Einsteins Preschool; Doris Hamilton, Buddy Lynch, Jim Leyh, Carol Senerchia, Gary Hornbacher, George W. Dick, and Michael B. Johnson, Resident spoke in opposition to the application; that they have concerns with traffic, odors, noise, methane gas, and emergency flare stacks; that they have concerns with the project showing just plans and not an actual project; that the industrial operation is too close to schools, homes, and sport fields; that they are afraid it would decrease their property value; that they think it is not the right location for this facility; that they have concerns with water run-off, and retention ponds; that they have concerns with the buffer zones; and that why is this application a conditional use and not a change of zone.

At the conclusion of the public hearings, the Commission discussed this application.

In reference to Conditional Use 2079 there was a motion by Mr. Hopkins, seconded by Ms. Stevenson and carried unanimously to defer action for further consideration. Motion carried 4-0.

In reference to Conditional Use 2080 there was a motion by Mr. Hopkins, seconded by Ms. Stevenson and carried unanimously to defer action for further consideration. Motion carried 4-0.

The Commission recessed for five (5) minutes.

Mr. Wheatley returned to participate in the rest of the hearings.

C/U #2081 Rafael Arias

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential

District) for a used car sales and computer repair and sales to be located on a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, containing 0.75 acres, more or less. The property is located on the north side of Shawnee Rd. (Rt. 36), 1,641 ft. east of Abbotts Pond Rd. 911 Address: 7194 Shawnee Rd., Milford. Tax Map I.D. 130-3.00-65.04

Mrs. Walls advised the Commission that submitted into record as part of the application were comments from the NRCS; DelDOT approval, Sussex County Utility Planning Division, staff analysis and an opposition letter with nine (9) signatures.

The Commission found there were no parties present on behalf of the applicant in support to this application.

At the conclusion of the public hearings, the Commission discussed this application.

Motion by Mr. Ross, seconded by Mr. Hudson, and carried unanimously to deny due to lack of record. Motion carried 5-0

C/Z #1821 Nechay Ventures

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 (Agricultural Residential District) to a CR-1 (Commercial Residential District) for a certain parcel of land lying and being in Little Creek Hundred, Sussex County containing 64.50 acres, more or less. The property is located on the south side of Whitesville Rd. approximately 529 ft. east of Sussex Hwy. (Rt. 13) and on the east of Sussex Hwy. (Rt. 13) approximately 1,002 ft. south of Whitesville Rd. 911 Address: None Available, Delmar. Tax Map I.D. 532-6.00-86.00 & 87.00

Mrs. Walls advised the Commission the submitted into the record as part of the application were comments from the staff analysis, NRCS, Sussex Conservation, Sussex County Utility Planning Division, DelDOT, exhibit book and site plan.

The Commission found that Attorney Mike Smith, from The Smith Firm; Frank Nechay as President of Nechay Ventures, and Robert Palmer, with Beacon Engineering were present on behalf of the application; that Mr. Smith spoke there is 2 parcels totaling 62.63 acres; that the property is located on Route 13; that Hale Trailer is to the south of the property; that Solid Image is to the north of the property and was rezoned in October 2016; that there are industrial uses on the neighboring properties all the way down the highway; that there is direct access to Whitesville Road; that the property is subject to the Corridor Capacity Preservation Program; that they do not anticipate need for state spending; that there is no noticeable impact on traffic; that the property is consistent with the surrounding trend of development; that it is consistent with the Comprehensive Plan; that general refrigeration will be the main use; that the business has been in use since 1992; that there are limited soils; that the development of larger building on site are cost prohibited; that they acquired the property for the specific use of a general refrigeration business; that Mr. Nechay spoke there are currently forty (40) employees; that without growth of this property it will shrink due to competition; and that the new construction could allow the business to almost double the number of employees.

The Commission found A.J. Bierman is an adjacent property owner; and that he is in support of the application.

The Commission found there were no parties in opposition to this application.

At the conclusion of the public hearings, the Commission discussed this application.

Mr. Ross stated that he would move that the Commission recommend approval of Change of Zone 1821 for Nechay Ventures for a change of zone from AR-1 to CR-1 based upon the record made during the public hearing and for the following reasons;

1. The site is located along U.S. Route 13 (Sussex Highway). This location is appropriate for CR-1 (Commercial Residential District) zoning.
2. The site is in an area where other Commercially-zoned properties exist. This includes a property recently zoned to CR-1 (Commercial Residential District) to the north and a large C-1 (General Commercial District) property to the south. The CR-1 (Commercial Residential District) zoning will be consistent with the area zoning.
3. The proposed use will not adversely affect neighboring or adjacent properties or roadways.
4. The Applicant will be required to meet or exceed all DelDOT requirements.
5. CR-1 (Commercial Residential District) Zoning is appropriate, since the County Zoning Code states that the purpose of such zoning is to provide for a wide variety of commercial and service activities generally serving a wide area, and that such uses should be located along existing major thoroughfares where a general mixture of commercial and service activities now exist. In this case, the rezoning along U.S. Route 13 falls within the stated purposes of the CR-1 (Commercial Residential District) District.
6. No parties appeared in opposition to this rezoning,
7. Any use of the property will require site plan review by the Sussex County Planning and Zoning Commission for compliance with the Sussex County Zoning Code.

Motion by Mr. Ross, seconded by Mr. Hudson, and carried unanimously to forward this application on to the Sussex County Council with the recommendation that the application be approved for the reasons stated. Motion carried 5-0.

OTHER BUSINESS

The Metal Shop

Revised Preliminary Site Plan

Mrs. Walls advised the Commission that this is a revised Preliminary Site Plan for The Metal Shop to construct 3 buildings with site improvements to be located at the southwest corner of Sussex Hwy and Allens Mill Rd. The buildings are shown as Shop 1 at 8,530 SF, Shop 2 at 8,007 SF and the Showroom is 6,389 SF. The Planning Commission granted Preliminary Site Plan approval on August 25, 2016. The plan was revised from 1 large building to 3 smaller buildings as well as changes to the parking layout. This project is in compliance with the zoning code requirements for preliminary approval. The property consists of two tracts with a total of

14.385 acres; Tract 1 consists of 9.822 acres and is zoned LI-2; Tract 2 contains 5.013 acres and is zoned AR-1. The Tax Parcel is 532-13.00-51.00. Staff is awaiting agency approvals.

Motion by Mr. Ross, seconded by Mr. Hudson, and carried unanimously to approve the revised preliminary site plan with final approval by staff upon receipt of all agency approvals. Motion carried 5-0.

Dollar General Store(S-17-28)

Preliminary Site Plan

Mrs. Walls advised the Commission that this is a Preliminary Site Plan for Dollar General Store (S-17-28) for the construction of a 9,100 SF retail convenience store with site improvement on a 2.98-acre parcel (Tract 1) located at the southeast corner of Lewes-Georgetown Hwy, (Rt. 9) and Fisher Rd. (Rt. 262). The applicant has submitted a letter requesting approval to provide parking in the front yard setback which requires review and approval by the Planning Commission. This project is otherwise in compliance with the zoning code requirements for preliminary approval. Tax Parcel: 235-30.00-50.00. The property is zoned CR-1, (Commercial Residential District). Staff is awaiting agency approvals.

Motion by Mr. Hopkins, seconded by Ms. Stevenson, and carried unanimously to approve the preliminary site plan with final approval by staff upon receipt of all agency approvals. Motion carried 5-0.

The Farm at Truitt Homestead, Inc.-Assisted Living Facility (S-17-30)

Preliminary Site Plan

Mrs. Walls advised the Commission that this is a Preliminary Site Plan for The Farm at Truitt Homestead Assisted Living Facility to construct a 120-bed assisted living facility with site improvements consisting of 2.7199 acres to be located off Farm Lane with access to Shuttle Road. The property is zoned MR (Medium Residential). A Special Use Exception (# 11896) was granted by the Board of Adjustment on Feb. 20, 2017. This project is in compliance with the zoning code requirements for preliminary approval. This project will impact the previous CU 2029 site plan for the Farm at Truitt Homestead and it may come back to Planning Commission. The Tax Parcel is 334-19.00-3.03. Staff is awaiting agency approvals.

Motion by Ms. Stevenson, seconded by Mr. Hudson, and carried unanimously to approve the preliminary site plan with final plan approval by Planning Commission upon receipt of all agency approvals. Motion carried 5-0.

Coopers QI Warehouse (S-17-32)

Preliminary Site Plan

Mrs. Walls advised the Commission that this is a Preliminary Site Plan for Coopers QI Warehouse to construct a 4,320 SF building with site improvements on a 10,000 SF lot to be located off Central Avenue. The preliminary site plan indicates parking in the front yard setback which requires review and approval by the Planning Commission. This project is otherwise in

compliance with the zoning code requirements for preliminary approval. The property is zoned C-1 (General Commercial District). The Tax Parcel is 334-13.20-16.00 (Lots 25 and 26). Staff is awaiting agency approvals.

Motion by Mr. Hudson, seconded by Mr. Ross, and carried unanimously to approve the preliminary site plan with final approval by staff upon receipt of all agency approvals. Motion carried 5-0.

King Farm (2010-7)

Amend Condition of Approval

Mrs. Walls advised the Commission that this is a request to amend a condition of approval to delete requirements for sidewalks within the King Farms Subdivision. King Farm Subdivision is a 47-lot subdivision located off Beaver Dam Branch Rd (SCR 446) that received Final Site Plan approval on July 24, 2014. The applicant submitted a letter requesting Condition #8 of the Preliminary Approval granted by Planning Commission on June 9, 2011 which states “as proposed by the Applicant, sidewalks shall be located on one side of all streets in the subdivision” be eliminated. The property is zoned AR-1. The Tax Parcel is 232-13.00-62.00.

The Commission found Mr. Witsil spoke; that there are no lots sold; that there is 60 acres; Motion by Mr. Ross, seconded by Mr. Hudson, and carried 4-1 to the amended Condition #8 to eliminate sidewalks on one side of all streets. Motion carried 4-1. Ms. Stevenson voted against the motion.

Lands of Sara and Morris Justice

Minor Subdivision off 50' Easement

Mrs. Walls advised the Commission that this is a minor subdivision for the creation of a new 3.53-acre lot +/- from two existing parcels off a 50' easement over an existing private road (E M Calhoun Lane) to be located approximately 1,300 east of West Beach Drive. The proposed parcel also has access from Trails End. The residual lands contain approximately 10.17 acres and 21.53 acres +/- . This project meets the requirements established by the Sussex County Zoning Code. The property is zoned AR-1. The Tax Parcels are 134-7.00-90.00 (part of) and 134-7.00-371.00 (part of). Staff is in receipt of agency approvals.

Motion by Mr. Hudson, seconded by Mr. Hopkins, and carried unanimously to approve the minor subdivision off 50 ft. easement with final approval by staff upon receipt of all agency approvals. Motion carried 5-0.

Lands of Rodney W. Smith

Minor subdivision off 50' Easement

Mrs. Walls advised the Commission that this is a minor subdivision for the creation of a 20.03 ac. +/- parcel of land with a residual of 15.64 ac.+/. The new parcel will have frontage along a proposed 50 ft. easement. The easement goes over an existing driveway. The easement will need to be extended to ensure the parcel has 100 ft. of frontage along the easement. The plan

also includes a lot line adjustment that does not require approval by the Planning Commission. The property is zoned AR-1. The tax parcel is 135-23.00-18.00. Staff is awaiting agency approvals.

Motion by Ms. Stevenson, seconded by Mr. Hudson, and carried unanimously to approve the minor subdivision off 50 ft. easement with a condition he extends the frontage of 100 ft. along the easement final approval by staff upon receipt of all agency approvals. Motion carried 5-0.

Meeting adjourned at 10:21 p.m.