



## *Planning & Zoning*

### Agendas & Minutes

#### MINUTES OF THE SPECIAL MEETING OF JUNE 20, 2007

A special meeting of the Sussex County Planning and Zoning Commission was held on Wednesday afternoon, June 20, 2007 in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

The meeting was called to order at 3:00 p.m. with Chairman Wheatley presiding. The following members of the Commission were present: Mr. Robert Wheatley, Mr. Ben Gordy, Mr. Michael Johnson, Mr. Rodney Smith, and Mr. I.G. Burton, III with Mr. Vince Robertson – Assistant County Attorney, Mr. Lawrence Lank – Director, Mr. Shane Abbott – Assistant Director and Mr. Richard Kautz – Land Use Planner.

Motion by Mr. Gordy, seconded by Mr. Smith and carried unanimously to approve the agenda as circulated. Motion carried 5 – 0.

#### OLD BUSINESS

**Subdivision #2004 – 16** - - application of **DYER REED, L.L.C.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 78.15 acres into 170 lots, and a variance from the maximum allowed cul-de-sac length of 1,000 feet, located east of Road 278, adjacent to The Cove on Herring Creek, and northeast of Herring Creek.

Mr. Abbott advised the Commission that this is the final record plan for a 165-lot Environmentally Sensitive Development District Overlay Zone subdivision; that the Commission granted preliminary approval for 170 lots on February 17, 2005 and a one-year time extensions on February 1, 2006 and February 20, 2007; that the final record plan is in compliance with the 15 conditions of the preliminary approval and the subdivision ordinance; and that all agency approvals have been received.

Motion by Mr. Johnson, seconded by Mr. Burton and carried unanimously to approve the record plan as a final. Motion carried 5 – 0.

**Subdivision #2004 – 22** - - application of **TERRANCE BABBIE** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Cedar Creek Hundred, Sussex County, by dividing 47.57 acres into 62 lots (Cluster Development) located at the southeast corner of the intersection of Route 38 (Jefferson Road) and Road 229 (Smith Road).

Mr. Abbott advised the Commission that this is the final record plan for a 49-lot cluster subdivision; that the Commission granted preliminary approval on October 15, 2005; that a time extension will be needed; that if an extension is granted, it should be retroactive to the anniversary date of the preliminary approval; that the final record plan is in compliance with the conditions of the preliminary approval and the subdivision ordinance; and that all agency approvals have been received.

Motion by Mr. Burton, seconded by Mr. Johnson and carried unanimously to grant a one-year time extension retroactive to the anniversary date of the preliminary approval.  
Motion carried 5 – 0.

Motion by Mr. Burton, seconded by Mr. Johnson and carried unanimously to approve the record plan as a final. Motion carried 5 – 0.

**Subdivision #2004 – 60** - - application of **PHILLIPS BRANCH ASSOCIATES, L.L.C.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 47.63 acres into 95 lots (Cluster Development), located at the southwest corner of the intersection of Road 48 (Hollymount Road) and Road 302 (Phillips Branch Road).

Mr. Abbott advised the Commission that this is the final record plan for an 85-lot cluster subdivision; that the Commission granted preliminary approval on February 1, 2006 and a one-year time extension on January 18, 2007; that the final record plan is in compliance with the 10 conditions of the preliminary approval and the subdivision ordinance; and that all agency approvals have been received.

Motion by Mr. Johnson, seconded by Mr. Gordy and carried unanimously to approve the record plan as a final. Motion carried 5 – 0.

**Subdivision #2006 – 8** - - application of **FRANCIS R. AND MARY S. HAZZARD** to consider the Subdivision of land in an AR-1 Agricultural Residential District and GR General Residential District in Indian River Hundred, Sussex County, by dividing 12.09 acres into 12 lots, and a variance from the maximum allowed cul-de-sac length of 1,000 feet, located west of Road 288, 400 feet north of Road 280-B.

Mr. Abbott advised the Commission that this application for a 12-lot standard subdivision was deferred on May 10, 2007 pending receipt of a septic feasibility statement from DNREC and a revised plan referencing the dimensions of the lots and the length of the cul-de-sac; that DNREC has issued a septic feasibility statement indicating that the site is suitable for individual on-site septic systems; that the engineer has submitted a revised plan showing the dimensions of all of the lots and the length of the cul-de-sac; that all of the lots meet the minimum requirement of 32,670 square feet; that the length of the cul-de-sac is 1,026.61 feet; and that the additional 26.61 feet is needed to meet the minimum lot frontage and minimum areas and to provide a turn around.

Mr. Johnson stated that he would move that the Commission grant preliminary approval of Subdivision #2006 – 8 for Francis R. and Mary S. Hazzard, based upon the record and for the following reasons:

1. With the conditions placed upon it, the subdivision meets the purpose and requirements of the Subdivision Code and protects the orderly growth of the County. And, the items listed in Section 99-9C of the Code have been favorably addressed.
2. The density is less than the maximum density permitted by the existing AR-1 zoning. All lots shall be a minimum of  $\frac{3}{4}$  acre in size.
3. The subdivision is integrated into the existing terrain and surroundings.
4. The subdivision will be a restricted residential development and will not adversely affect nearby uses or property values.
5. The subdivision will not adversely impact schools, public buildings and community facilities or area roadways and public transportation.
6. DNREC has provided a septic feasibility statement for individual on-site septic systems.
7. A homeowners' association will be created to maintain streets, open space, storm water management areas and street lighting.
8. A variance from the maximum allowed cul-de-sac length of 1,000 feet should be granted as the applicant is only seeking an additional 27 feet to provide for minimum lot frontage and to provide a turn around.
9. This recommendation is subject to the following conditions:
  - There shall be no more than 12 lots within the subdivision.
  - The Applicant shall record Restrictive Covenants governing the development and cause to be formed a homeowners' association to be responsible for the perpetual maintenance of streets, roads, any buffers, storm water management facilities and other common areas.
  - The storm water management system shall meet or exceed the requirements of the State and County.
  - All entrances shall comply with all of DelDOT's requirements.
  - A system of street lighting shall be provided by the Applicant, and the location of the streetlights shall be shown on the final site plan.
  - The Restrictive Covenants shall include the Agricultural Use Protection Notice.
  - Street naming and addressing shall be subject to the review of the Sussex County Mapping and Addressing Department.
  - The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Johnson, seconded by Mr. Gordy and carried unanimously to grant preliminary approval, for the reasons and with the conditions stated. Motion carried 5 – 0.

**Subdivision #2006 – 9** - - application of **R.W. DURHAM & ASSOCIATES** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Little Creek

Hundred, Sussex County, by dividing 125.79 acres into 116 lots, located northwest of Road 506, 2,100 feet southwest of Road 498.

Mr. Abbott advised the Commission that this preliminary plan for a 116-lot standard subdivision has been deferred since May 24, 2007; that DNREC has issued a septic feasibility statement indicating that the site is suitable for individual on-site septic systems; and that a 30-foot forested buffer is required along the boundary line of Helen C. Dikerson Bennett.

Mr. Gordy stated that he would move that the Commission grant preliminary approval of Subdivision #2006 – 9 for R.W. Durham and Associated, based upon the record and for the following reasons:

1. With the conditions placed upon it, the proposed subdivision meets the purpose of the Subdivision Code in that it protects the orderly growth of the County. It also meets the requirements of the Subdivision Code, and the items listed in Section 99-9C of the Code have been favorably addressed.
2. The proposed subdivision density is less than the density permitted by the existing AR-1 zoning. All lots will exceed  $\frac{3}{4}$  of an acre in size.
3. The proposed subdivision is generally integrated into the existing terrain and surroundings.
4. The proposed subdivision will be a restricted residential development and will not adversely affect nearby uses or property values.
5. The proposed subdivision will not adversely impact schools, public buildings and community facilities or area roadways and public transportation.
6. DNREC has indicated that the site is suitable for individual on-site septic systems.
7. A homeowners' association will be created to maintain streets, open space, storm water management areas and street lighting.
8. This recommendation is subject to the following conditions:
  - The Applicant shall prepare and record Restrictive Covenants governing the development and form a homeowners' association to be responsible for the perpetual maintenance of streets, roads, any buffers, storm water management facilities, erosion and sedimentation control facilities and other common areas.
  - The storm water management system shall meet or exceed the requirements of the State and County. The storm water management area shall be relocated to a more centralized location within the Development and away from adjacent properties.
  - All entrances shall comply with all of DelDOT's requirements.
  - The Restrictive Covenants shall include the Agricultural Use Protection Notice.
  - There shall be a 30-foot wide forested buffer on the northwestern perimeter and there shall be no encroachments into said buffer.

- The Final Site Plan shall include additional open space centrally located with the subdivision, and proposed amenities shall be shown on the Final Site Plan.
- No lots shall contain any wetlands.
- Street naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- The location for a school bus stop shall be coordinated with the local school district. The bus stop shall be shown on the Final Site Plan.
- The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.
- There shall be no more than 116 lots in the subdivision.

Motion by Mr. Gordy, seconded by Mr. Smith and carried unanimously to grant preliminary approval, for the reasons and with the conditions stated. Motion carried 5 – 0.

**Subdivision #2006 – 10** - - application of **LACROSSE HOMES OF DELAWARE, INC.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Little Creek Hundred, Sussex County, by dividing 213.64 acres into 320 lots (Cluster Development), located north of Road 70 (Gordy Road), 1,500 feet west of Road 72 (Wooten Road) and on both sides of Road 462 (Trussum Pond Road).

Mr. Abbott advised the Commission that this preliminary plan for a 320-lot cluster subdivision has been deferred since May 24, 2007; and that DNREC has issued a septic feasibility statement indicating that the site is suitable for a community septic system.

Mr. Gordy stated that he would move that the Commission grant preliminary approval of Subdivision #2006 – 10 for Lacrosse Homes of Delaware, Inc. based upon the record and for the following reasons:

1. The development is designed in accordance with the Cluster Development Ordinance. The proposed clustered design is superior to a standard subdivision. For instance, clustering has been used to preserve wooded areas and create active open areas where a centralized community area including a pool and clubhouse with game courts will be located. In addition, there will be 11 acres of open space on the north side of the site across from Trussum Pond Road. There are also sidewalks and walking trails promoting interconnectivity within the project. Also, the items listed in Section 99-9C of the Subdivision Ordinance have been favorably addressed.
2. The applicant has proposed 320 lots within the project, which is a permissible density within an AR-1 subdivision on the land. This is also a reduction in the number of lots as a result of the P.L.U.S. process.

3. The subdivision will include amenities such as the following: a pool and clubhouse with game courts, sidewalks and walking trails and active and passive open space. Across Trussum Pond Road there will also be a pavilion area and soccer field.
4. The lots will be served by central water and sewer.
5. The site's design has a minimal impact on wetlands and there is a 50-foot buffer from all wetlands.
6. The proposed subdivision meets the purposes and standards of the subdivision ordinance.
7. This recommendation is subject to the following conditions:
  - There shall be no more than 320 lots within the subdivision.
  - The Applicant shall form a homeowners' association to be responsible for the maintenance of streets, roads, any buffers, storm water management facilities, and other common areas.
  - The storm water management system shall meet or exceed the requirements of the State and County.
  - All entrances shall comply with all of DelDOT's requirements.
  - Street lighting shall be provided and the location of the streetlights shall be shown on the final site plan.
  - Sidewalks shall be installed on both sides of all streets within the subdivision.
  - As stated during the Applicants presentation, the applicant shall maintain as many existing trees as possible and the wooded area shall remain undisturbed.
  - No wetlands shall be included within any lot lines.
  - Within two years of issuance of the first building permit, the developer shall construct the community swimming pool and clubhouse.
  - As stated by the Applicant, all streets within the subdivision shall be built to DelDOT standards and shall be built to DelDOT specifications.
  - Amenities on the site shall include a clubhouse, swimming pool, basketball court and tot lot along with a soccer field and pavilion area on the north side of Trussum Pond Road.
  - Street naming and addressing shall be subject to the review and approval of the County Mapping and Addressing Department.
  - The location for a school bus stop shall be coordinated with the local school district. The bus stop shall be shown on the Final Site Plan.
  - The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Gordy to approve this application as a preliminary for the reasons and with the conditions stated. The motion died for a lack of a second.

Mr. Burton is abstaining in this discussion since he was not present at the public hearing.

Motion by Mr. Johnson, seconded by Mr. Smith and carried unanimously to defer action so that Mr. Burton can review the file and allow the Commission time for further consideration and to put this application under Old Business on the June 28, 2007 meeting. Motion carried 4 – 0, with Mr. Burton abstaining.

**Subdivision #2006 – 14** - - application of **GRAY PROPERTIES, L.L.C.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Little Creek Hundred, Sussex County, by dividing 40.03 acres into 40 lots, located east of Road 461, 1,050 feet south of Route 24.

Mr. Abbott advised the Commission that this is the preliminary plan for a 40-lot standard subdivision that was deferred on May 24, 2007; and that DNREC has issued a septic feasibility statement indicating that the site is suitable for individual on-site septic systems.

Mr. Gordy stated that he would move that the Commission grant preliminary approval of Subdivision #2006 – 14, for Gray Properties, L.L.C., based upon the record and for the following reasons:

1. The proposed subdivision meets the purpose of the Subdivision Code in that it protects the orderly growth of the County. It also meets the requirements of the Subdivision Code, and the items listed in Section 99-9C of the Code have been favorably addressed.
2. The site is located in an area that has other residential and commercially zoned development.
3. The proposed subdivision density is less than the maximum allowed density permitted by the existing AR-1 zoning.
4. The proposed subdivision is integrated into the existing terrain and surroundings.
5. The proposed subdivision is located in close proximity to Route 13 and Route 24, and is adjacent to another residential subdivision.
6. The proposed subdivision will be a restricted residential development and will not adversely affect nearby uses or property values.
7. The proposed subdivision will not adversely impact schools, public buildings and community facilities or area roadways and public transportation.
8. DNREC has indicated that the site is suitable for individual on-site septic systems.
9. A homeowners' association will be created to maintain streets, open space, storm water management areas and street lighting.
10. This recommendation is subject to the following conditions:

- There shall be no more than 38 single-family lots within the subdivision.
- The Applicant shall prepare and record Restrictive Covenants governing the development and form a homeowners' association to be responsible for the perpetual maintenance of streets, roads, any buffers, storm water management facilities, erosion and sedimentation control facilities and other common areas.
- The storm water management system shall meet or exceed the requirements of the State and County.
- All entrances shall comply with all of DelDOT's requirements. Also, an area for a school bus stop shall be established in coordination with the local school district. The school bus stop shall be shown on the Final Site Plan.
- A system of street lighting shall be provided by the Applicant, and the location of the streetlights shall be shown on the Final Site Plan.
- Sidewalks shall be provided on at least one side of the streets.
- The Restrictive Covenants shall include the Agricultural Use Protection Notice. A notice shall also be included within the covenants stating that hunting activities occur on neighboring and adjacent properties.
- As stated by the Applicant, a tot lot shall be provided on the site. The tot lot shall be shown on the Final Site Plan.
- No wetlands shall be included within any individual lots.
- Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Gordy, seconded by Mr. Johnson and carried 4 votes to none, with Mr. Burton abstaining, to approve this application as a preliminary for the reasons and with the conditions stated. Motion carried 4 – 0 – 1.

#### OTHER BUSINESS

##### Cannon Mill Court

##### Preliminary Multi-Family Site Plan – U.S. Route 13 and 13A

Mr. Abbott advised the Commission that this is a preliminary multi-family site plan for 10 units on 2.83 acres; that the site is zoned C-1 and located between U.S. Route 13 and 13A; that ingress/egress to the site is off of Route 13A; that there is no direct access to U.S. Route 13; that the 10 units are proposed in 2 buildings; that 1 building contains 4 units and the other 6 units; that the proposed density is 3.53 units per acre; that the setbacks, building lengths and separation distances meet the requirements of the zoning code; that 30 parking spaces are provided; that there are 9 spaces located within the front yard setback and are subject to site plan review; that each unit contains an attached garage; that on-site wells and a community septic system are proposed; that there is a 25-



foot buffer from the wetlands located on the site; and that if preliminary approval is granted, final approval could be subject to the staff receiving all agency approvals.

Mr. Kautz questioned if a landscaping plan has been submitted.

Doug Warner, P.E. with Element was present and advised the Commission that a landscape plan will be submitted for review and approval.

Motion by Mr. Gordy, seconded by Mr. Johnson and carried unanimously to approve the site plan as a concept with the stipulation that a landscape plan be submitted for the Commission's review and approval. Motion carried 5 – 0.

#### 84 Lumber CU #1601 Revised Site Plan – Route 26

Mr. Abbott advised the Commission that this is a revised site plan for a lumber storage and retail center; that the Commission approved the site plan on November 9, 2005; that the revised plan adds a storm water management dry pond at the southwest corner of the property; that all of the buildings are the same as the original approved site plan; that one of the conditions of approval requires a landscaped buffer, 30-feet in width, that shall be planted and maintained along the western boundary line of the property comprised of a double row of evergreens at a 10-foot spacing; that the buffer scales 25 feet where the dry pond is located; that the dry pond was dug based on an approved plan from the Sussex Conservation District; that the Commission recommended denial of this application; that the County Council approved the use and the conditions of approval were originated at the Council level; and that the Commission cannot revise the conditions of approval.

Motion by Mr. Smith, seconded by Mr. Johnson and carried unanimously to deny the revised site plan as submitted. Motion carried 5 – 0.

#### New Covenant Presbyterian Church Preliminary Site Plan – Road 268

Mr. Abbott advised the Commission that this is a preliminary site plan for a 17,200 square foot church with administrative offices, a 5,000 square foot basement and a 6,000 square foot assembly hall located on 11.36 acres; that the site is zoned AR-1 and HR-2; that churches are a permitted use in all zoning districts; that the setbacks meet the requirements of the zoning code; that 247 parking spaces are provided; that central sewer will be supplied by Sussex County and Tidewater Utilities, Inc. will provide central water; that the three parcels need to be combined into one parcel; and that if preliminary approval is granted, final approval could be subject to the staff receiving all agency approvals.

Motion by Mr. Burton, seconded by Mr. Johnson and carried unanimously to approve the site plan as a preliminary with the stipulation that final approval shall be subject to the staff receiving all agency approvals. Motion carried 5 – 0.

Reynolds Construction, L.L.C.  
Preliminary Commercial Site Plan – Jefferson

Mr. Abbott advised the Commission that each member was provided a copy of a letter from the developers; that the developer is requesting that the Commission determine that the subject lot is not considered a through lot or a corner lot; and that the developers are seeking relief from the setback requirements and parking being permitted to be located within the front yard setback; and that the only way the setback can be less than what is required will require a variance from the Board of Adjustment.

Mr. Johnson stated that he visited the site; that the lot should not be considered a through or corner lot; and that he does not have any problems with parking being located within the front yard setback in this case since the adjoining sites have parking located within the front yard setback.

It was the consensus of the Commission that the lot is not a through or corner lot.

Subdivision #2005 – 13 – Lynn and Karen McColley  
McColley Estates – Time Extension

Mr. Abbott advised the Commission that this is a request for a one-year time extension; that the Commission granted preliminary approval on April 27, 2006; that this is the first request for an extension; and that if an extension is granted, it should be retroactive to the anniversary date of the preliminary approval.

Motion by Mr. Burton, seconded by Mr. Gordy and carried unanimously to grant a one-year time extension retroactive to the anniversary date of the preliminary approval. Preliminary approval is valid until April 27, 2008. Motion carried 5 – 0.

Subdivision #2005 – 24 – Cascade Properties, L.L.C.  
Captain's Way – Time Extension

Mr. Abbott advised the Commission that this is a request for a one-year time extension; that the Commission granted preliminary approval on March 23, 2006; that this is the first request for an extension; and that if an extension is granted, it should be retroactive to the anniversary date of the preliminary approval.

Motion by Mr. Burton, seconded by Mr. Johnson and carried unanimously to approve a one-year time extension retroactive to the anniversary date of the preliminary approval. Preliminary approval is now valid until March 23, 2008. Motion carried 5 – 0.

Subdivision #2005 – 27 - - Burcap Partners  
Deep Branch Woods – Time Extension

Mr. Abbott advised the Commission that this is a request for a one-year time extension; that the Commission granted preliminary approval on May 11, 2006; that this is the first request for an extension; and that if an extension is granted, it should be retroactive to the anniversary date of the preliminary approval.

Motion by Mr. Burton, seconded by Mr. Gordy and carried unanimously to approve a one-year extension retroactive to the anniversary date of the preliminary approval. Preliminary approval is now valid until May 11, 2008. Motion carried 5 – 0.

Subdivision #2005 – 32 - - Ernest DeAngelis  
Melendez Manor – Time Extension

Mr. Abbott advised the Commission that this is a request for a one-year time extension; that the Commission granted preliminary approval on May 31, 2006; that this is the first request for an extension; and that if an extension is granted, it should be retroactive to the anniversary date of the preliminary approval.

Motion by Mr. Burton, seconded by Mr. Gordy and carried unanimously to approve a one-year extension retroactive to the anniversary date of the preliminary approval. Preliminary approval is now valid until May 31, 2008. Motion carried 5 – 0.

Dale L. and Darlene B. Collins  
Parcel on an Existing 50' Right of Way – Road 368

Mr. Abbott advised the Commission that this is a request to create a 2.0-acre parcel out of an 8.94-acre parcel with access from an existing 50-foot right of way; that the existing right of way is paved for about 300 feet and the remainder is clam shells; that if the request is approved as submitted, it would be the third parcel with access from the right of way and it should be stipulated that any further subdivision of the property will require an application for a major subdivision.

Motion by Mr. Smith, seconded by Mr. Gordy and carried unanimously to approve the request as submitted with the stipulation that any further subdivision of the property will require an application for a major subdivision. Motion carried 5 – 0.

Carlyn and Jason Parsley  
Parcel on an Existing 50' Right of Way – Route 5

Mr. Abbott advised the Commission that this is a request to create a 1.01-acre parcel out of a 127.37-acre tract with access from an existing 50-foot right of way; that if the request is approved it would be the second lot with access from the right of way; and that the request can be approved as submitted or require an application for a major subdivision.

Motion by Mr. Burton, seconded by Mr. Johnson and carried unanimously to approve the request as submitted. Motion carried 5 – 0.

Mary Joseph  
3 Lots and a 50' Right of Way – Road 298A

Mr. Abbott advised the Commission that this is a request to create 3 lots and to extend an existing 50-foot right of way to serve as access to the lots; that the proposed lots are 1.33-acres, 1.58-acres and 1.86-acres; and that there are already 2 lots that were created out of this parcel.

Mr. Lank advised the Commission that the previous 2 lots were created prior to the subdivision ordinance being adopted in 1982.

Motion by Mr. Johnson, seconded by Mr. Burton and carried unanimously to approve the request as submitted. Motion carried 5 – 0.

Jacqueline Golder  
Parcel and a 50' Right of Way – Road 302

Mr. Abbott advised the Commission that this is a request to create a 2.50-acre lot with access from a 50-foot easement; that the owner proposes to create the easement over an existing driveway to serve as access to the lot; that the request can be approved as submitted or require an application for a major subdivision; and that if the request is approved as submitted, the shed will need to be relocated.

Motion by Mr. Johnson, seconded by Mr. Burton and carried unanimously to approve the request as submitted with the stipulation that the shed will need to be relocated. Motion carried 5 – 0.

Thomas and Hilda Best  
3 Parcels and a cul-de-sac – Best Lane

Mr. Abbott advised the Commission that this is a request to subdivide a parcel into 3 lots and create a half cul-de-sac to serve as access to the lots from Best Lane; and that an application for a major subdivision should be required since the adjoining property owner was required to file one.

Motion by Mr. Johnson, seconded by Mr. Gordy and carried unanimously to deny the request as submitted and require an application for a major subdivision. Motion carried 5 – 0.

Travis Ventures, L.L.C.  
4 Parcels on an Existing 50' Right of Way – Road 298A

Mr. Abbott advised the Commission that this is a request to create 3 lots and residual land off of an existing 50-foot right of way; that the request can be approved as submitted or require an application for a major subdivision; and that if the request is approved as submitted, it should be stipulated that any further subdivision of the site will require an application for a major subdivision.

The Commission discussed previous subdivision plans for this site.

Motion by Mr. Johnson, seconded by Mr. Burton and carried unanimously to deny the request as submitted and require an application for a major subdivision. Motion carried 5 – 0.

Demonstration on Computer Monitors

The Information Systems Office was not present and this item was tabled. The demonstration will be rescheduled for a future meeting.

#### ADDITIONAL BUSINESS

There was a consensus of the Commission to hold the July Special Meeting on July 18, 2007 at 3:00 p.m.

Meeting adjourned at 4:25 p.m.