



Memorandum

To: Sussex County Planning Commission Members

From: Jamie Whitehouse, Acting Director, Department of Planning & Zoning; Lauren DeVore, Planner III; Jenny Norwood, Planner I, and Christin Headley, Planner I

CC: Vince Robertson, Assistant County Attorney

Date: February 20, 2020

RE: Other Business for February 27, 2020 Planning Commission Meeting

This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the February 27, 2020 Planning Commission meeting.

Dolle's Candyland (S-20-03)

KS

Preliminary Site Plan

This is a Preliminary Site Plan for a proposed 5,125 square foot building for the retail, production and storage of goods (candy). The site shall include 12 proposed 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 (CHCOZ). The Preliminary Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 235-16.00-16.00. Zoning: C-1 (General Commercial Zoning District). Staff are awaiting agency approvals.

MFC Murphy LLC (S-18-92)

HW

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for a proposed 1,550 square foot office addition and two (2) proposed storage buildings measuring 7,200 square foot each and other associated site improvements on a 2.279-acre parcel of land accessed from Zion Church Rd. The Applicant is requesting approval for relief from the inter-connectivity requirement for commercial uses. The Revised Preliminary Site Plan otherwise complies with the Sussex County Zoning Code. Tax Parcel: 533-11.00-76.02. Zoning District: B-1 (Neighborhood Business Zoning District). Staff is awaiting agency approvals.

The Woodlands Revised Amenity Plan (2005-49)

HW

Revised Amenities Plan

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

Cross Key Village Subdivision

RW

Preliminary Minor Subdivision



This is a Preliminary Plan for a minor subdivision for the subdivision of three (3) lots, 3) lots, proposed Parcel A will measure 7.74-acres +/-, Parcel B will measure 8.20-acres +/-, and Parcel C will measure 6.00-acres +/-, the Proposed Outlot A will measure 0.34-acres +/-, and the residual lands will measure 9.84-acres +/- off a 50-ft easement over an existing driveway located off of Phillips Hill Rd. The Preliminary Subdivision Plan complies with the Sussex County Subdivision Code. Tax Parcel: 133-19.00-31.00. Zoning District: AR-1 (Agricultural Residential Zoning District). Staff is awaiting agency approvals.

2019-2 - Old Mill Landing South

HW

Request to Revise Conditions of Approval

This is a request to revise the wording of conditions of approval for the 156-lot cluster/coastal area subdivision to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County. The property is lying on the southeast corner of Old Mill Bridge Rd. and Miller Neck Rd. At it's meeting on February 13, 2020 the Planning and Zoning Commission granted Preliminary Subdivision Plan approval subject to Conditions "I" and "B". Condition "I" states that "*As proffered by the Applicant, sidewalks shall be installed on both sides of all internal streets.*" The Applicant has submitted a request to modify Condition "I" by deleting the words "both sides" and substituting "one side". Condition "B" states that "*In consideration of the mature woodlands and the sensitive environment of this site and adjacent and surrounding lands, the areas identified as Lots 77 through 85 on the proposed plan shall remain undisturbed.*" The Applicant is requesting to delete Condition "B". Tax Parcel: 134-21.00-6.00 (portion of). Zoning District. AR-1 (Agricultural Residential District).

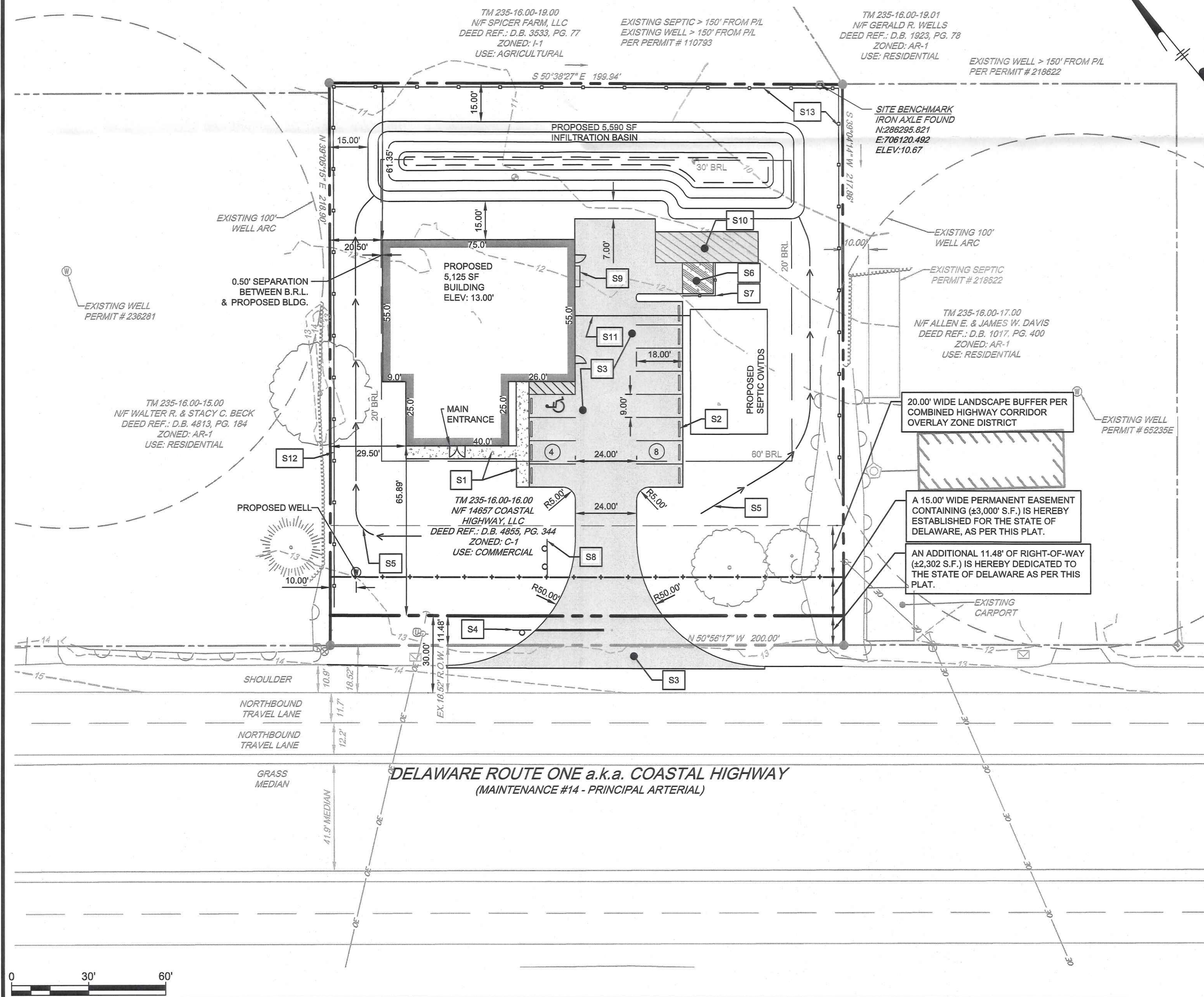
2019-13 - Old Mill Landing North

HW

This is a request to revise the wording of conditions of approval for the 71 single family lot cluster subdivision to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County. The property is lying on the southeast corner of Old Mill Bridge Rd. and Miller Neck Rd. At it's meeting on February 13, 2020 the Planning and Zoning Commission granted Preliminary Subdivision Plan approval subject to Condition "G". Condition "G" states "*As proffered by the Applicant, sidewalks shall be installed on both sides of all internal streets.*". The Applicant has submitted a request to modify Condition "G" to delete the words "both sides" and substituting "one side". Tax Parcel: 134-21.00-6.00 (portion of). Zoning District. AR-1 (Agricultural Residential District).

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		BUILDING
		FULL DEPTH PAVEMENT
		CURB
		EDGE OF PAVEMENT
		EDGE OF GRAVEL
		EASEMENT
		FENCE
		POWER, UTILITY POLE
		PROPERTY, LINE
		LEGAL RIGHT-OF-WAY
		PROPERTY, CORNER FOUND
		PROPERTY, ADJOINING LINED
		SITE, MAIL BOX
		SITE, TRAFFIC SIGN
		SOIL BOUNDARY
		SOIL LABEL
		STORM SEWER, INLET
		STORM SEWER, HEADWALL
		STORM SEWER, MANHOLE
		STORM SEWER, UNDERGROUND
		MINOR CONTOUR
		MAJOR CONTOUR
		SPOT ELEVATION
		BUILDING RESTRICTION LINE
		SWALE/DITCH
		WATER, UNDERGROUND
		TREE LINE
		VEGETATION BRUSH LINE
		FENCE
		LANDSCAPE BUFFER
		SIDEWALK
		HEAVY DUTY CONCRETE (DUMPSTER PAD)



FIRE MARSHAL SITE DATA:

- SITE NAME/ADDRESS: DOLLE'S PRODUCTION FACILITY
14657 COASTAL HIGHWAY
MILTON, DE 19968
BROADKILL HUNDRED
SUSSEX COUNTY, DELAWARE
- OWNER INFORMATION:
CURRENT OWNER: 14657 COASTAL HIGHWAY, LLC
REHOBOTH BEACH, DE 19971
DEVELOPER INFORMATION: THOMAS I IBACH
DOLLES CANDYLAND, INC.
1 REHOBOTH AVENUE
REHOBOTH BEACH, DE 19971
BROADKILL HUNDRED
SUSSEX COUNTY, DELAWARE
PHONE: (302) 227-0757
- WATER SUPPLIER: PRIVATE WELL
- MAXIMUM BUILDING HEIGHT: 42'
- AUTOMATIC SPRINKLERS: NO
- FIRE DISTRICT: MILTON VOLUNTEER FIRE CO. (85)

NOTES:

- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
- ALL ACCESS TO DWELLINGS SHALL BE CLEARED A MINIMUM OF 15' WIDE.

BUILDING USE AND CONSTRUCTION

BUILDING	USE	CONSTRUCTION TYPE	SF	SPRINKLER
PR. BLDG	RETAIL/PRODUCTION FACILITY	1-STORY TYPE METAL STUDS/CONCRETE	5,125	NO

KEYED NOTES

- PROPOSED 5' WIDE CONCRETE SIDEWALK, TYPICAL
- PROPOSED CURB STOP (TYP.), (SEE DETAIL 8/CS6001)
- FULL DEPTH LIGHT DUTY ASPHALT PAVING, (SEE DETAIL 6/CS8001)
- PROPOSED "STOP SIGN" AND "STOP BAR"
- PROPOSED SWALE(S)
- PROPOSED HEAVY DUTY CONCRETE (SEE DETAIL 9/CS6001)
- PROPOSED CONCRETE DUMPSTER PAD TO BE ENCLOSED BY 6' HIGH VINYL PRIVACY FENCE (OWNER TO DECIDE FENCING COVER AND STYLE)
- PROPOSED BUSINESS SIGN
- PROPOSED OVERHEAD DOOR
- PROPOSED 40' X 12' LOADING ZONE
- PROPOSED SEPTIC CONNECTION
- PROPOSED 8' HIGH VINYL PRIVACY FENCE (203 LF). (OWNER TO DECIDE FENCING COLOR AND STYLE)
- PROPOSED 6' HIGH VINYL PRIVACY FENCE (350 LF). (OWNER TO DECIDE FENCING COLOR AND STYLE)
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- PROPOSED 6' HIGH VINYL PRIVACY FENCE (350 LF). (OWNER TO DECIDE FENCING COLOR AND STYLE)
- STATE INVESTMENT AREA: COMPREHENSIVE PLAN AREA: SCHOON DISTRICT: FIRE DISTRICT: SUSSEX COUNTY: LEVEL 4 COMMERCIAL AREA CAPE HENLOPEN MILTON (STATION 85) COMBINED HIGHWAY CORRIDOR OVERLAY ZONE DISTRICT. (CHCOZ) DISTRICT.
- LATITUDE AND LONGITUDE STATE PLANE COORDINATES: LONGITUDE: W75°14'34" LATITUDE: N38°47'9.02"
- WETLAND AREA: 0.00 ACRES
- LIMIT OF DISTURBANCE: 0.99± ACRES
- PROPOSED DISCHARGE LOCATION: SURFACE INFILTRATION BASIN BROADKILL RIVER WATERSHED
- SITE AREA AND ACREAGE: 43,669 SF/ 1.00± ACRES
NET DEVELOPMENT AREA/GROSS ACRES:
BUILDING: EX: 1,977 SF 0.05 (5%) PR: 5,125 SF 0.12 (12%)
PARKING AND IMPERVIOUS: EX: 5,617 SF 0.13 (13%) PR: 11,749 SF 0.27 (27%)
WOODED AREA: EX: 18,862 SF 0.43 (43%) PR: 0 SF (0%)
OPEN SPACE: EX: 17,213 SF 0.39 (39%) PR: 28,616 SF 0.61 (61%)
TOTAL: EX: 43,669 SF 1.00 (100%) PR: 43,669 SF 1.00 (100%)
- DATUM: HORIZONTAL = NAD83, VERTICAL = NAVD88
- LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APPROVAL: SUSSEX COUNTY

ENGINEER CERTIFICATION:

IT IS HEREBY CERTIFIED THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE COMPLIES WITH APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES. THE DESIGN REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE DATE

ALAN DECKTOR, PE (DE PE#17771)
PENNONI ASSOCIATES, INC
18072 DAVIDSON DRIVE
MILTON, DE 19968
OFFICE (302) 684-8030 - FAX (302) 684-8054

OWNER CERTIFICATION:

IT IS HEREBY CERTIFIED THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN RECORDED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE DATE

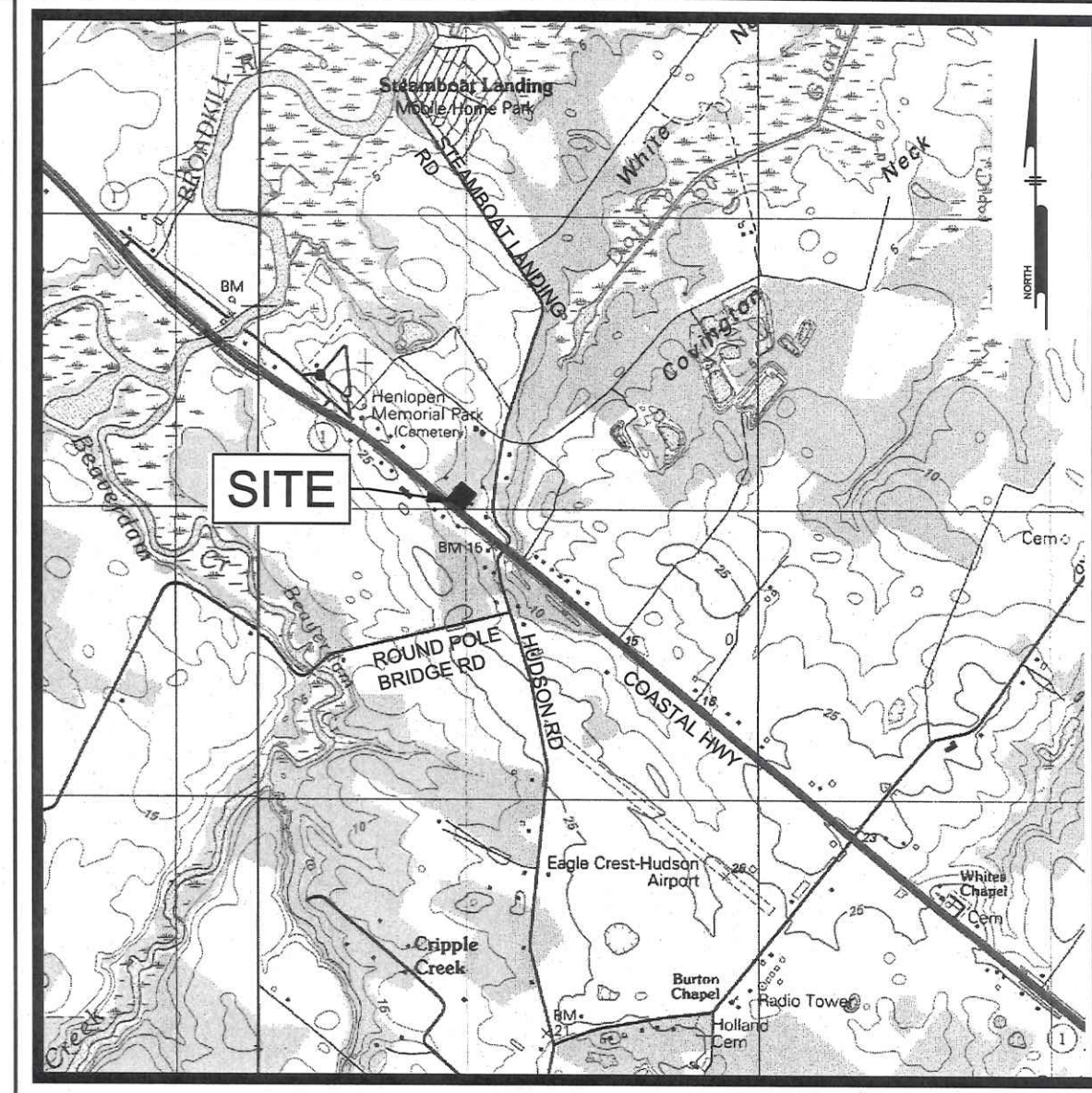
THOMAS I IBACH
14657 COASTAL HIGHWAY, LLC
1 REHOBOTH AVENUE
REHOBOTH BEACH, 19971
(302) 227-0757

DEVELOPER CERTIFICATION:

IT IS HEREBY CERTIFIED THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN RECORDED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE DATE

THOMAS I IBACH
DOLLES CANDYLAND, INC.
1 REHOBOTH AVENUE
REHOBOTH BEACH, 19971
(302) 227-0757



USGS LOCATION MAP

Scale: 1" = 2000'

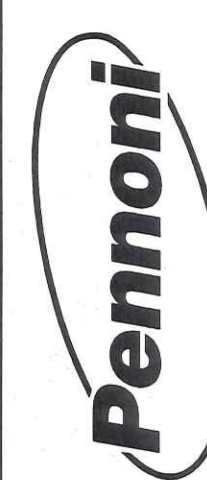
SITE DATA TABLE:

- TAX MAP NUMBER: 235-16.00-16.00
DEED BOOK: D 4855, PG 344
- OWNER/DEVELOPER: DOLLES CANDYLAND, INC.
14657 COASTAL HIGHWAY, LLC
1 REHOBOTH AVENUE
REHOBOTH BEACH, DE 19971
- ADDRESS LOCATION: 14657 COASTAL HIGHWAY
MILTON, DE 19968
HUNDRED: BROADKILL
COUNTY: SUSSEX
- CURRENT ZONING: C-1
- PRESENT USE: VEHICLE REPAIR/RETAIL
PROPOSED USE: PRODUCTION FACILITY = 4,125 SF
WAREHOUSE RETAIL = 1,000 SF
- REQUIRED SETBACKS (B.R.L.):
FRONT: (PER 115-82 B) 60 FT
SIDE: (A 20' SIDE YARD SETBACK IS REQUIRED WHEN ADJACENT TO RESIDENTIAL ZONING DISTRICTS) 5 FT
REAR: (A 30' REAR YARD SETBACK IS REQUIRED WHEN ADJACENT TO RESIDENTIAL ZONING DISTRICTS) 5 FT
- BUILDING HEIGHT: (PER 115-82 C) 42' ALLOWED
- REQUIRED LOT SIZE (MIN.):
DEPTH: 100 FT (PER 115-82A)
WIDTH: 75 FT
AREA: 10,000 FT (PER 115-82A)
- PARKING (ARTICLE XXII: OFF-STREET PARKING, CODE SECTION 115-162)
RETAIL: (1 SPACE PER 200 SF AND 1 SPACE PER 2 EMPLOYEES)
1,000 SF/200 = 5 SPACES, 1 SPACE FOR EMPLOYEES = 6 SPACES
WHOLESALE/MANUFACTURING: (1 SPACE FOR EVERY 2 EMPLOYEES)
12 EMPLOYEES = 6 SPACES
TOTAL REQUIRED SPACES: 12 SPACES
PROVIDED SPACES: 12 SPACES
HANDICAP SPACES: 1 SPACE INCLUDED
- LOADING SPACE REQUIRED: 1 SPACE
LOADING SPACE PROVIDED: 1 SPACE
- UTILITY SERVICES:
SANITARY SEWER SUPPLIER: PROPOSED PRIVATE SEPTIC
WATER SUPPLIER: PROPOSED PRIVATE ON-SITE WELL WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENTS OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
A. SUBJECT PROPERTY IS WITHIN AN AREA OF "GOOD" GROUNDWATER RECHARGE.
B. SUBJECT PROPERTY IS NOT LOCATED IN A WELLHEAD PROTECTION AREA.
- STATE INVESTMENT AREA: COMPREHENSIVE PLAN AREA: SCHOON DISTRICT: FIRE DISTRICT: SUSSEX COUNTY: LEVEL 4 COMMERCIAL AREA CAPE HENLOPEN MILTON (STATION 85) COMBINED HIGHWAY CORRIDOR OVERLAY ZONE DISTRICT. (CHCOZ) DISTRICT.
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- DATUM: HORIZONTAL = NAD83, VERTICAL = NAVD88
- LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APPROVAL: SUSSEX COUNTY

DOLLE'S PRODUCTION FACILITY

SUSSEX COUNTY, TAX MAP: 235-16.00-16.00
BROADKILL HUNDRED, SUSSEX COUNTY - MILTON

PRELIMINARY RECORD PLAN

DOLLES CANDYLAND, INC.
1 REHOBOTH AVENUE
REHOBOTH BEACH, 19971ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORKPENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES
ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE
PROJECT. THEY ARE NOT INTENDED OR REPRESENTED
TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON
THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER
PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION
OR ADAPTATION BY PENNONI ASSOCIATES FOR THE
SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS
SOLE RISK AND WITHOUT LIABILITY OR LEGAL
EXPOSURE TO PENNONI ASSOCIATES, AND OWNER
SHALL INDEMNIFY AND HOLD HARMLESS PENNONI
ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND
EXPENSES ARISING OUT OF OR RESULTING THEREFROM.PROJECT: ETDGX19001
DATE: 2020-02-10
DRAWING SCALE: 1"= 30'
DRAWN BY: SJD
APPROVED BY: AMD

RP1001

SHEET 1 OF 2

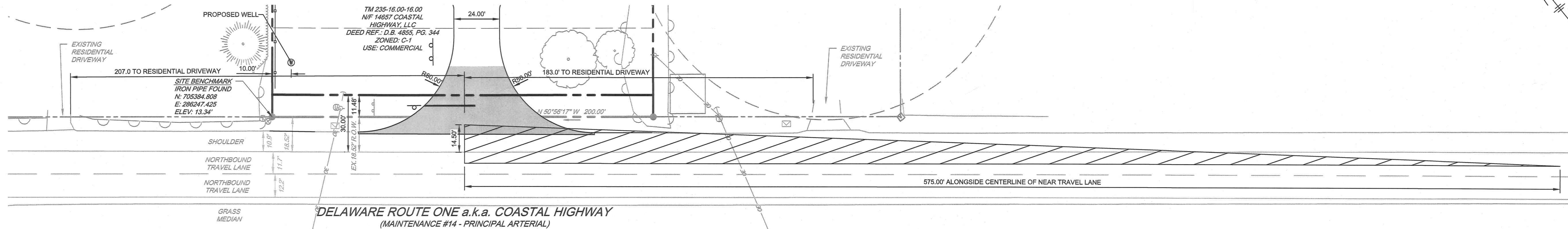
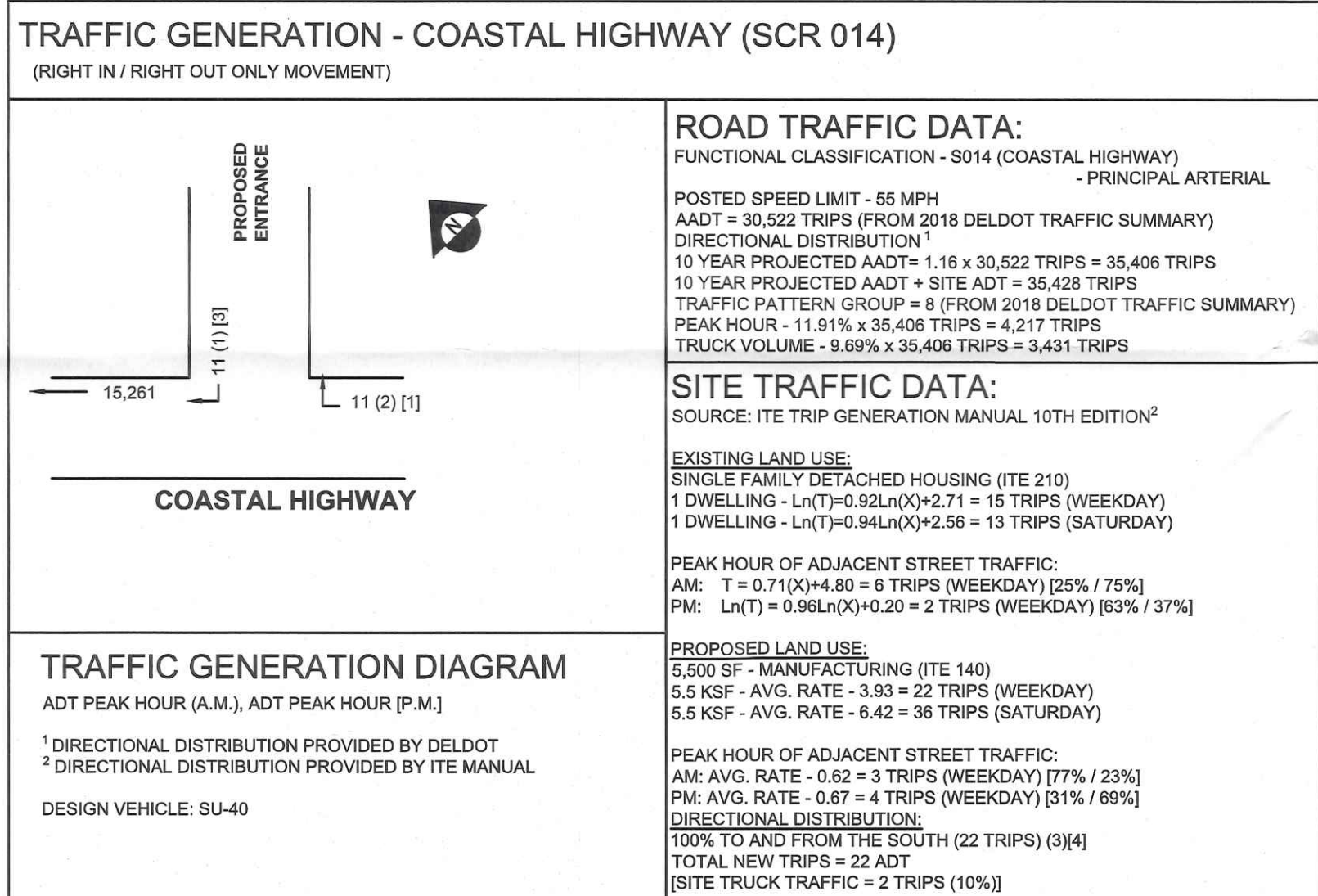
U:\Account\ETD\ETD\19001 - Dolle's Production Facility\DESIGN_SHEET\19002.dwg PLOTTED: 2/7/2020 3:08 PM BY: Shwan J. Davis PLOTTED: Penmon KCS, Inc. PROJECT STATUS: —

GENERAL NOTES:

- ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER.
- THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
- DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
- ALL MATERIALS SHALL BE NEW AND SHALL BE ASBESTOS AND VERMICULITE FREE.
- THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, OR MODIFY ANY EROSION AND SEDIMENT CONTROL MEASURES AS THEY DEEM NECESSARY.
- ALL DISTURBED AREAS WITHIN THE RIGHT-OF-WAY, BUT NOT IN PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM), FERTILIZED AND SEED.
- THE ENTRANCES/EXITS ARE PROPOSED ONLY, AND ARE SUBJECT TO REVIEW AND APPROVAL BY THE DELAWARE DEPARTMENT OF TRANSPORTATION BEFORE A CONSTRUCTION PERMIT IS ISSUED.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD AND DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED, ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
- DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER, CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
- BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0188K, EFFECTIVE DATE MARCH 16, 2015, THE ENTIRE PROPERTY IS LOCATED IN AN AREA DESIGNATED AS FLOOD ZONE "X" (UNSHADED), WHICH IS AN AREA THAT HAS BEEN DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
- SUBJECT PROPERTY IS CURRENTLY ZONED C-1 COMMERCIAL.
- THE SUBJECT SITE WILL BE CONSTRUCTED AS ONE PHASE.
- TOTAL AREA FOR SUBJECT SITE IS 1.00 ACRES.
- SURVEY DATUM: HORIZONTAL - NAD83, VERTICAL - NAVD85.
- BUILDING LIGHTING TO BE PROVIDED WITH BUILDING PLANS. NO PARKING LOT LIGHTS ARE PROPOSED.
- ALL SITE LIGHTING SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- NO WETLANDS ARE FOUND TO BE ON SITE PER THE DPREC NAVMAP ONLINE MAPPING SYSTEM.
- STORMWATER WILL BE HANDLED BY THE PROPOSED SURFACE STORMWATER SYSTEM. THE MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITY WITHIN THE SITE SHALL BE THE RESPONSIBILITY OF THE OWNER.
- ALL FIRE LANES, EXITS, STANDPIPE AND SPRINKLER CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS. EXISTING BUILDING CONSTRUCTION IS STEEL, CONCRETE, AND WOOD, ONE STORY AND WILL NOT HAVE SPRINKLERS.
- FIRE ALARM REQUIRED - THE FIRE ALARM SIGNALING SYSTEM SHALL BE AUTOMATIC, SUPERVISED OFF-SITE, AND SHALL CONSIST OF FULL COVERAGE BY SMOKE DETECTION AND ALARM NOTIFICATION. WHERE SMOKE DETECTION DEVICES WILL NOT FUNCTION BY REASON OF DEVICE LIMITATION, HEAT DETECTION SHALL BE PROVIDED IN THOSE SPECIFIC LOCATIONS FIRE ALARM SIGNALING SYSTEM PLANS AND SPECIFICATIONS SHALL BE SUBMITTED FOR REVIEW.
- MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
- SANITARY SEWER FOR THIS SITE WILL USE A PROPOSED SEPTIC.
- WATER FOR THIS SITE WILL BE PROVIDED BY A PROPOSED ON-SITE WELL.
- PER CHAPTER 115, ZONING ARTICLE XXVII, THE TOPOGRAPHIC CONTOURS AT ONE-FOOT INTERVALS WILL BE ADDED TO THE GRADING AND UTILITY PORTION OF THE PLANS. THE PROPOSED SITE WILL BE A RELATIVELY FLAT WITH SURFACE RUNOFF TO THE EXISTING POND.
- THE HEIGHT, LOCATION, AND MATERIAL OF ALL FENCES, WALLS, SCREEN PLANTING AND LANDSCAPING WILL BE SHOWN ON THE FINAL SITE PLAN.
- ANY PROPOSED SIGN DETAILS WILL BE SUBMITTED SEPARATELY.

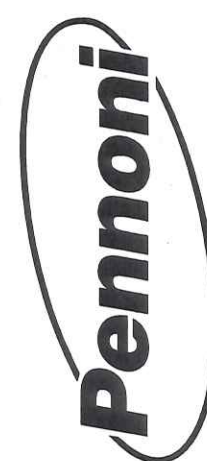
DELDOT RECORD NOTES, 3-21-2019:

- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
- TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER PAVED ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.



SIGHT DISTANCE TRIANGLE

SCALE: 1" = 30'



PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK

DOLLE'S PRODUCTION FACILITY
SUSSEX COUNTY, TAX MAP: 235-16-00-16-00
BROADKILL HUNDRED, SUSSEX COUNTY - MILTON

PRELIMINARY RECORD PLAN NOTES AND DETAILS

DOLLES CANDYLAND, INC.
1 REHOBOTH AVENUE,
REHOBOTH BEACH, 19871

NO.	DATE	REVISIONS	BY
1	2020-02-07	REVISED PER PAZ COMMENTS	SJD

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES
ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE
PROJECT. THEY ARE NOT INTENDED OR REPRESENTED
TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON
THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER
PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION
OR ADAPTATION BY PENNONI ASSOCIATES FOR THE
SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS
SOLE RISK AND WITHOUT LIABILITY OR LEGAL
EXPOSURE TO PENNONI ASSOCIATES, AND OWNER
SHALL INDEMNIFY AND HOLD HARMLESS PENNONI
ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND
EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	ETDGX19001
DATE	2020-02-10
DRAWING SCALE	1"=
DRAWN BY	FML
APPROVED BY	FML

RP1002

SHEET 2 OF 2



PLITKO, LLC

CIVIL ENGINEERING
32133 OMAR ROAD
FRANKFORD, DE 19945
PH: 302.222.2075

February 17, 2020

Sussex County Planning & Zoning
2 The Circle
PO Box 589
Georgetown, DE 19947

REF: **MFC MURPHY,LLC (S-18-92)**
TAX PARCEL: 533-11.00-76.02
Comment Response to Staff Review Letter dated February 3, 2020

Ms. Norwood,

In response to your review letter dated February 3, 2020, the plans have been revised as described below.

1. The warehouses have been revised to Accessory Storage Buildings with a reference to Zoning code 115-70A in the Plan Data notes.
2. The zoning has been updated to B-1.
3. The square footage of the existing office building has been noted.
4. There is adequate space for the loading zones and they have direct access to the proposed drive aisle.
5. A dumpster has been shown on the Site Plan.
6. The hours of operation of this site are from 7:30am to 4:30pm and therefore no lighting is proposed for nighttime operations.
7. The fence details have been shown on the Site Plan.
8. The applicant seeks relief for the interconnectivity requirement per Zoning Code 115-221 B(18) to Tax Parcel 533-11.00-76.01. The existing business and subsequent proposed use of the site will be enclosed with fencing and a gate which will be locked after hours. With the addition of the fencing needed for the security of the current business and the proposed office addition, there currently will be inadequate land available to provide an interconnection to the requested adjacent parcel. Also, the proposed western portion of the site, along Zion Church Road, that is not enclosed with fencing will be restricted to an interconnection to the requested parcel due to an existing septic mound that will remain in use.
9. Comment noted and we are moving forward with the required agency approvals.

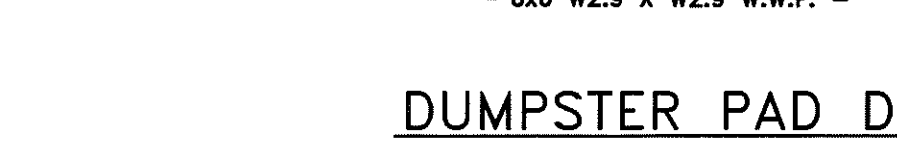
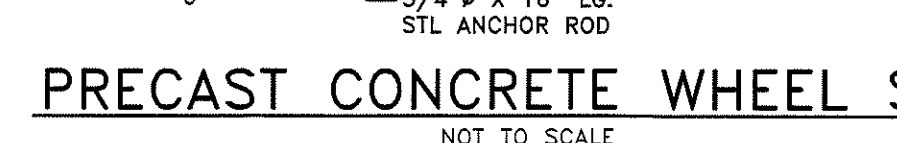
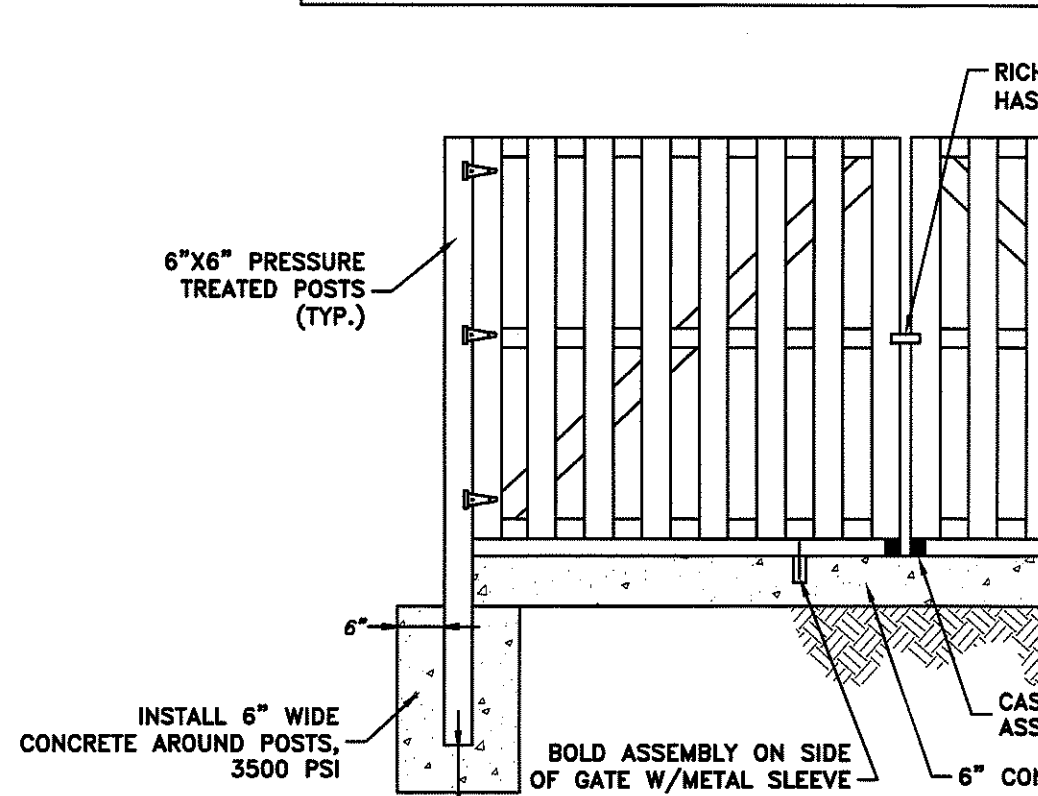
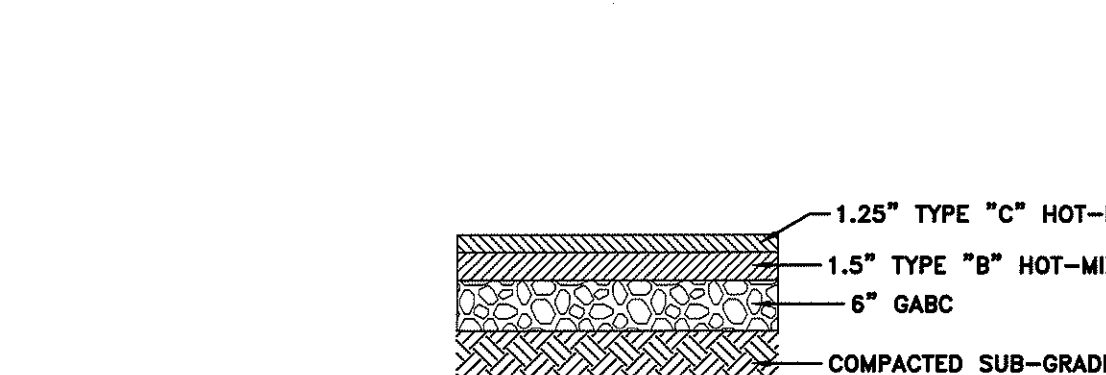
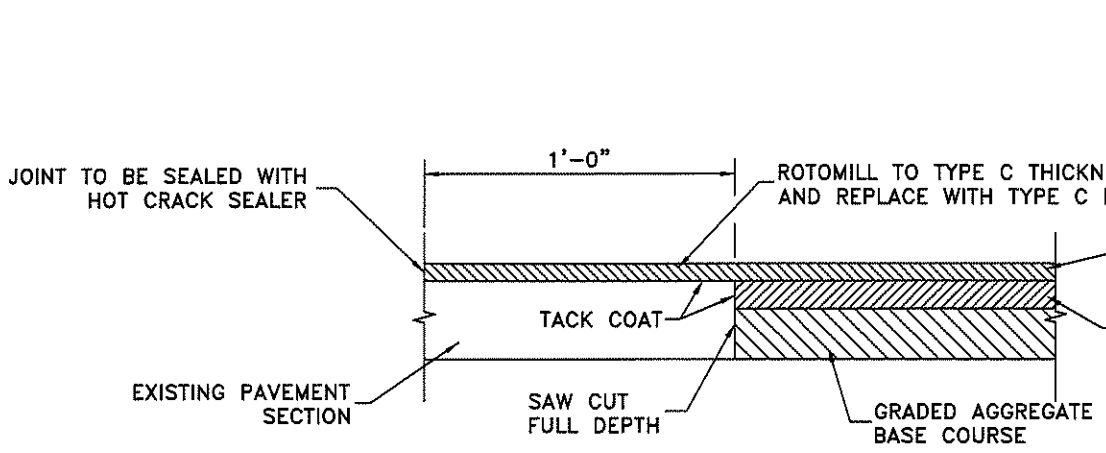
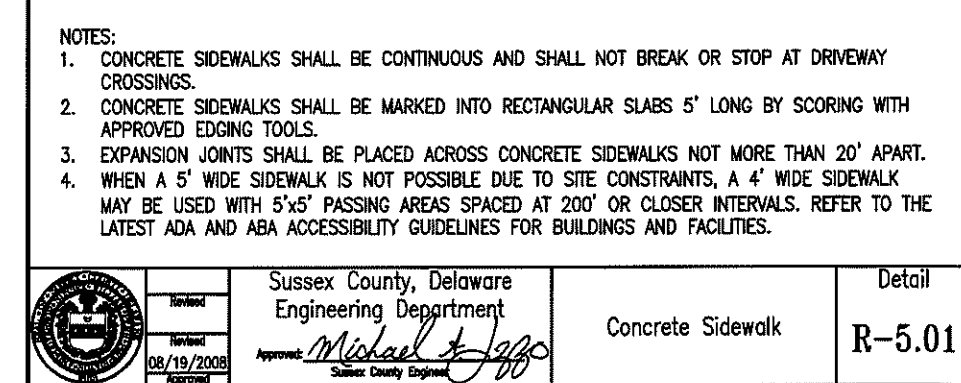
Sincerely,

Rob Plitko, Jr., P.E.

PLITKO, LLC

ph 302-222-2075

rplitko@hotmail.com



1. CONTRACTOR TO INSTALL TRACER WIRE ON SERVICE LINE FOR THE POOL HOUSE.
2. THE DESIGNATED HOMEOWNERS ASSOCIATION ASSUMES RESPONSIBILITY FOR THE AMENITIES AT THE WOODLANDS.
3. RECREATIONAL AMENITIES TO SERVE THE RESIDENTS OF THE THUNDERBOLT WOODLANDS SUBDIVISION.
4. HANDICAP CURB RAMPS SHALL CONFORM TO ADA STANDARDS AND SPECIFICATIONS.
5. POOL BACKWASH WILL NOT BE ACCEPTED INTO THE SANITARY SEWER SYSTEM.

ALL FIRE LANES, HYDRANTS, EXITS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS (DSFPR, 705, CHAPTER 5).

WATER PROVIDER: ARTESIAN WATER COMPANY, INC.

PROPOSED BUILDING CONSTRUCTION: TYPE V (111)


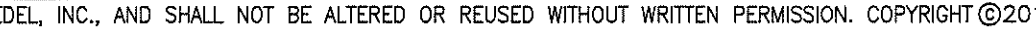
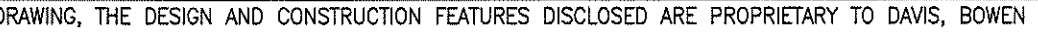
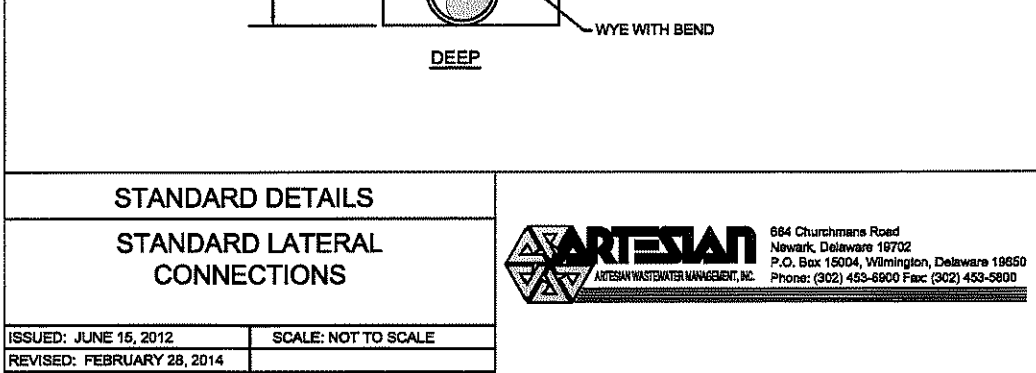
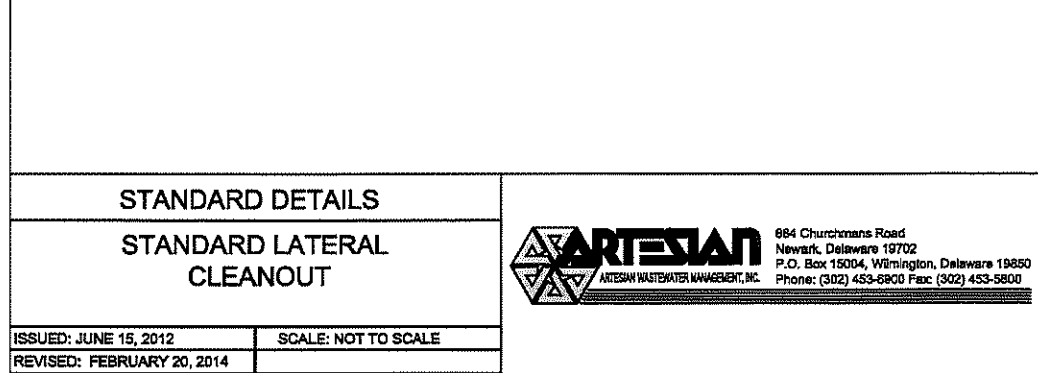
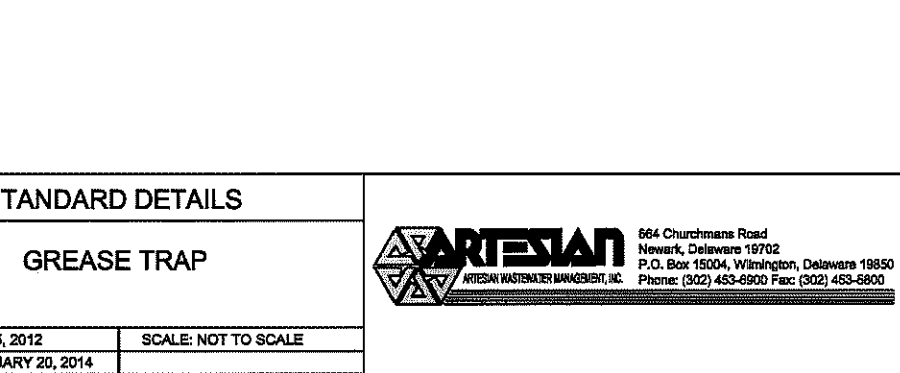
INTENDED USE: CLUB HOUSE, POOL AND POOL DECK - ASSEMBLY

PROPOSED BUILDING HEIGHT: 1 STORY; 29 FEET

PROPOSED BUILDING SQUARE FOOTAGE: 2,702± S.F.

SITE WILL BE SERVED BY AN UNDERGROUND CLOSED PIPE NATURAL GAS OR PROPANE SYSTEM.

AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.



DAVIS,
BOWEN &
FRIEDEL, INC.

Revisions:	
Date:	DECEMBER 2
Scale:	AS NOTED
Dwn.By:	DJR
Proj.No.:	2269C00
Dwg.No.:	02

*Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.*

February 18, 2020

Jennifer Norwood
Sussex County Planning
2 The Circle,
P.O. Box 589
Georgetown, DE 19947

RE: Woodlands Clubhouse
DBF #2269C001

Dear Ms. Norwood:

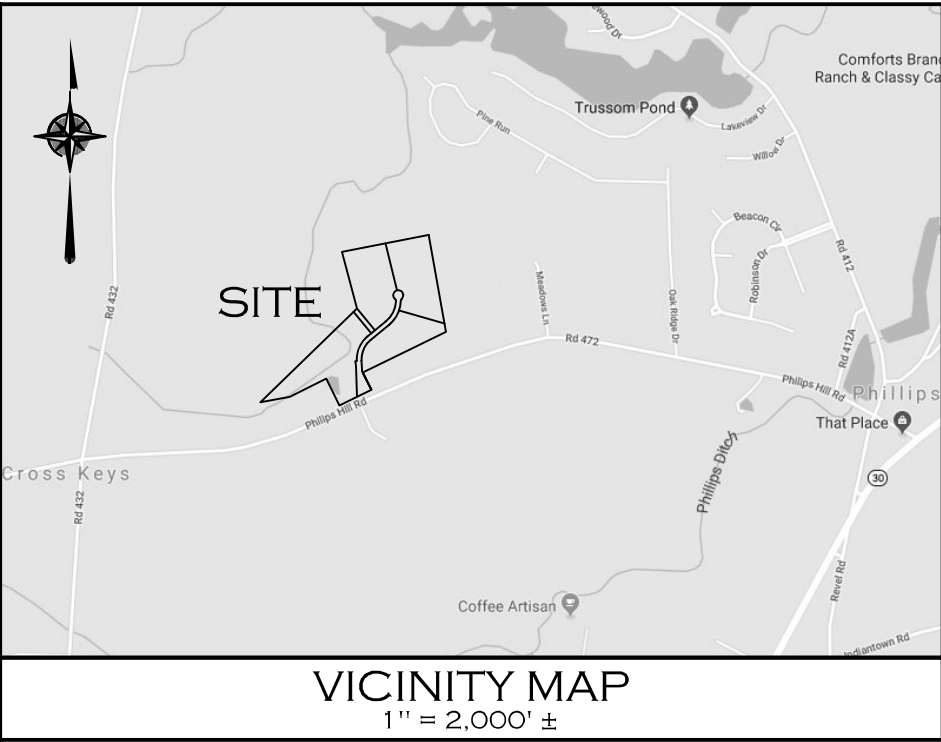
On behalf of our client Woodlands Development, LLC., we are formally requesting that the Sussex County Planning Commission allow us to provide parking in the front yard setback for the proposed clubhouse and amenity area at the Woodlands at Bethany. We have provided landscape screening along the side property lines to the right-of-way which should screen the proposed parking from adjacent owners.

If you should have any questions or require additional information, please call me at (302) 424-1441.

Sincerely,



Jamie Sechler, P.E.



CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	303.74'	299.63'	N 25°37'54" E	278.78'	54°38'01"
C2	300.00'	245.34'	N 29°31'14" E	238.56'	46°51'21"
C3	25.00'	24.49'	N 21°57'59" W	23.52'	58°07'05"
C4	53.00'	258.87'	N 89°54'02" E	68.24'	279°51'06"
C5	25.00'	19.86'	S 27°07'55" W	19.29'	45°23'20"
C6	350.00'	296.34'	S 26°41'35" W	287.97'	48°30'40"
C7	253.74'	241.95'	S 25°37'54" W	232.89'	54°38'01"

- NOTES
- THE PROPERTY SHOWN HEREON IS CURRENTLY OWNED BY PROSPECTIVE VENTURES LLC, 25252 SUMMER ROAD, MILLSBORO, DE, 19966
 - TAX MAP: 1-33-19.00-31.00
DEED REF: 4480/316
PLAT REF: 117/63
 - ZONING: AR-1
SETBACKS: FRONT: 40' PHILLIPS HILL RD
SIDE: 30' KEYWAY COURT
REAR: 20'
MAXIMUM BUILDING HEIGHT: 42'
 - TOTAL SITE AREA: 24.15 ± ACRES
 - MINIMUM LOT SIZE ALLOWABLE: 32,670 SF (0.75 ACRES)
 - NUMBER OF LOTS PROPOSED: 4
 - AREAS: PARCEL A 7.74 ± ACRES
PARCEL B 8.20 ± ACRES
PARCEL C 6.00 ± ACRES
OUTLOT A 0.34 ± ACRES
KEYWAY COURT / OPEN SPACE: 1.87 ± ACRES
 - SANITARY SEWER: INDIVIDUAL ON-SITE SEPTIC SYSTEM
 - WATER SERVICE: INDIVIDUAL WELL
 - ELECTRIC: DELAWARE ELECTRIC COOPERATIVE
 - CATV: MEDIA.COM
 - FLOOD PLAIN: ZONE X, AREA OF MINIMAL FLOODING
FIRM # 10005G0453J, DATED 01/06/05
 - OTHER THAN SHOWN, THIS SURVEY PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS ON THIS PROPERTY. NO TITLE SEARCH WAS REQUESTED OR PERFORMED.
 - TOPOGRAPHICAL INFORMATION SHOWN HEREON TAKEN FROM SURVEY BY MILLER-LEWIS.
 - OUTLOT "A" IS FOR THE EXCLUSIVE USE BY PARCEL B AND PARCEL C LOT OWNERS WITHIN THE CROSS KEY VILLAGE SUBDIVISION TO ACCESS THE ADJOINING PROPERTY OWNED BY DELAWARE DNREC.
 - THE MAINTENANCE AND UPKEEP OF KEYWAY COURT WITHIN THE CROSS KEY VILLAGE SUBDIVISION SHALL BE SHARED EQUALLY AMONG PARCELS A, B & C AS WELL AS TAX PARCEL 1-33-19.00-31.03.

N/F
STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL
1-33-19.00-37.00
EXISTING FOREST
ZONED: AR-1

1-33-19.00-31.03
9.84 ± ACRES
OTHER LANDS OF PROSPECTIVE VENTURES LLC
EXISTING FOREST
ZONED: AR-1

PARCEL A
7.74 ± ACRES

PARCEL B
8.20 ± ACRES

PARCEL C
6.00 ± ACRES

KEYWAY COURT
EASEMENT WIDTH VARIES

SCR #472 - PHILLIPS HILL ROAD
50' R/W - LOCAL ROAD

A 5-FOOT STRIP IS HEREBY
RESERVED FOR THE STATE OF
DELAWARE AS PER THIS PLAT, FOR
FUTURE RIGHT-OF-WAY NEEDS.

LEGEND

- CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- STONE FOUND
- POINT
- UTILITY POLE

OWNER CERTIFICATION

I, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE OUR ACT AND THAT I DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

PROSPECTIVE VENTURES LLC
REPRESENTATIVE

DATE

LAND SURVEYOR CERTIFICATION

I, BRADLEY A. ABSHER, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND IN MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

BRADLEY A. ABSHER
PROFESSIONAL LAND SURVEYOR # 735

DATE

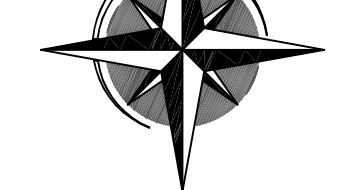
TAX MAP #	1-33-19.00-31.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	DAGSBORO
TOWN	- - -
DEED REF.	4480 / 316
PLAT REF.	- - -
DRAWN BY	CJP / MCS
DATE	01 / 05 / 20
REVISED	- - -
SCALE	1" = 80'
SURVEY #	DE - 06044
SHEET #	1 OF 1

CROSS KEY VILLAGE
SUBDIVISION

OF THE LANDS OF
PROSPECTIVE VENTURES LLC
PARCEL 31

PHILLIPS HILL ROAD, MILLSBORO, DE 19966

TRUE NORTH



LAND SURVEYING
118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE 302-539-2488
MD 410-435-2992
WEB: TRUENORTHUS.COM

FUQUA, WILLARD, STEVENS & SCHAB, P.A.

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GEORGETOWN, DELAWARE 19947
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WILLIAM SCHAB
TIMOTHY G. WILLARD
TASHA MARIE STEVENS
MELISSA S. LOFLAND
NORMAN C. BARNETT
www.fwsslaw.com

HART HOUSE ☐
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REHOBOTH OFFICE ☐
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REHOBOTH BEACH, DE 19971
PHONE 302-227-7727
FAX 302-227-2226

LEWES REAL ESTATE OFFICE ☐
16698 KINGS HIGHWAY, SUITE B
LEWES, DELAWARE 19958
PHONE 302-645-6626
FAX 302-645-6620
realestate@fwsslaw.com

February 20, 2020

Robert C. Wheatley, Chairman
Planning & Zoning Commission
P.O. Box 417
Georgetown, DE 19947

RECEIVED

FEB 20 2020

SUSSEX COUNTY
PLANNING & ZONING

Re: Old Mill Landing (South) / Subdivision #2019-2

Dear Chairman Wheatley:

The Applicant, Old Mill Bridge, LLC, respectfully requests that the Planning and Zoning Commission reconsider Conditions "I" and "B" imposed on the preliminary site plan approval of Old Mill Landing (South) / SUB #2019-2, (the subdivision) for the following reasons:

CONDITION "I"

Condition "I" states in part, "As proffered by the Applicant, sidewalks shall be installed on both sides of all internal streets." Actually, the Applicant proposed that sidewalks be located on one side of all streets. This was proposed for the purpose of reducing impervious cover on the site. There is no provision in the Zoning or Subdivision Ordinances requiring sidewalk on both sides of streets and even under the design criteria of the AR-1 Cluster Development Option, sidewalks are only required on one side of subdivision streets. (Sec. 115-25(F)(3)(a)(9).)

It is requested that Condition "I" be amended by deleting the words "both sides" and substituting "one side".

CONDITION “B”

Condition “B” states “In consideration of the mature woodlands and the sensitive environment of this site and adjacent and surrounding lands, the areas identified as Lots 77 through 85 on the proposed plan shall remain undisturbed.”

A. Condition “B” Has No Statutory Basis

There is no legal basis in the Sussex County Zoning or Subdivision Ordinances for removing lots 77 through 85 from the Preliminary Site Plan and requiring that area remain undisturbed.

1. Under the 2008 Sussex County Comprehensive Plan, the site of the subdivision was designated as being located in the “Environmentally Sensitive Developing Area” (ESDA). Under the 2019 Comprehensive Plan, the site is designated as being in the “Coastal Area”. Under either of those designations, clustering of single family detached lots to a minimum lot size of 7,500 square feet is permitted by right. (Sec. 115-194.3 (C) (3). This section of the zoning ordinance is the “clustering” authority for the proposed subdivision and that section imposes no conditions or restrictions on the development of a site related to woodlands or other natural features. The development of the area containing Lots 77 through 85 of the subdivision is permitted by right.
2. As stated, the proposed cluster subdivision is permitted in the ESDA/Coastal Area overlay zone and approval was not being requested under the provisions of the AR-1 Cluster Development Option (Sec. 115-25 (B) (2)) which is not applicable to the proposed subdivision.

However, even under the recently revised AR-1 Cluster Development Option¹, the design criteria, which promotes clustering of the subdivision on the environmentally suitable portions of a property, specifically states, “This does not inhibit the development of wooded parcels”. (Sec. 115-25(F) (3) (a) (1).

1. The subdivision application was filed on January 4, 2019 and predates the AR-1 cluster option amendments which were adopted on June 11, 2019 and did not take effect until six months after that date, being December 11, 2019. The subdivision is not subject to this ordinance since the Application was filed prior to the Effective date of the Amendments and, as stated, was filed as a “cluster” subdivision in the ESDA/ Coastal Area Overlay Zone.

The fundamental Rule of Statutory Construction is that if a statute is unambiguous, it is given the literal meaning of the words used. In addition, the Zoning Ordinance provides that words used in the ordinance shall be interpreted in accord with their normal dictionary meaning and customary usage. (Sec. 115-4 (A) (5)). The language of the ordinance states “This does not inhibit the development of wooded parcels”. Inhibit is defined as “to prohibit from doing something” (Merriam-Webster Dictionary). In other words, the ordinance means that the language used does not prohibit the development of wooded parcels.

As a result, even under the recently amended AR-1 Cluster Development Option, wooded parcels can be developed. The proposed subdivision, which is not subject to the AR-1 Cluster Option, clearly has no statutory prohibition on tree removal.

B. Condition “B” Has No Discretionary Basis

Detached single family dwellings on individual lots are a permitted use in the AR-1 zoning district (Sec. 115-20(a)(1)) and lot size can be reduced to a minimum of 7,500 square feet in the ESDA/Coastal Overlay Zone. (Sec. 115-194.3 (C)(3)). The subdivision is permitted by right provided it complies with requirements of the ordinance.

While the Commission may impose reasonable conditions on the approval of a site plan to minimize adverse impacts, it cannot impose Ad Hoc requirements on the use of land not specified anywhere in the ordinances. If it were allowed to do so it would create uncertainty on all landowners as to whether they can safely rely on the permitted uses conferred on their land under the zoning ordinance. Nor does the Commission have the authority to reject a site plan because the area residents do not want the land used for a project that is a permitted use under the applicable zoning classification. (See East Lake Partners v City of Dover Planning Comm’n, 655 A.2d 821, 1994 Del. Super Lexis 668)

Condition “B” requires that the Area comprised of Lots 77 through 85 remain undisturbed “In consideration of the mature woodlands and sensitive natural environment of this site and the adjoining and surrounding lands.” This Ad Hoc restriction was imposed despite the fact the County ordinances have no requirements for buffers from non-tidal wetlands, no restrictions on

the application of nutrients by individual lot owners, no requirements for reforestation and no requirements that sensitive environmental features of a site be placed in a Conservation Easement. Although not required, the Applicant voluntarily proffered to subject the subdivision to such restrictions as incorporated in Conditions F, S, T and U included in the Commission's conditions of approval. The Applicant considered the "Sensitive Natural Environment" of the site in the planning and design of the subdivision.

If the County desires to enact reasonable ordinances restricting development of a site due to environmental conditions, which ordinances would be applicable to all landowners, it has the authority to do so. The Commission, however, does not have the power to single out a particular site plan for an Ad Hoc restriction not authorized by existing County Ordinances.

C. OTHER CONSIDERATION

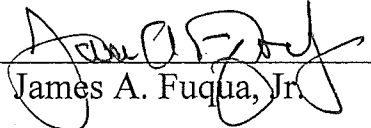
1. Constitutional Issue. The prohibition on the Applicant's use of the site area containing Lots 77 through 85 is a taking of the Applicant's property without just compensation in violation of the State of Delaware and United States Constitutions.
2. Precedent. If Condition "B" is not removed, it will act as a notice to future applicants to remove trees from sites prior to submitting to the County for development approval.
3. Zoning Laws. Zoning laws are interpreted in favor of the land owner. Permissive terms in a zoning ordinance should be construed expansively, so as to afford the land owner the broadest possible use and enjoyment of his land.

For the reasons stated, the Applicant respectfully requests that Condition "T" be amended and Condition "B" be deleted as conditions of approval of subdivision # 2019-2. Thank you for your consideration.

Respectfully submitted,

FUQUA, WILLARD,
STEVENS & SCHAB, P.A.

By: _____


James A. Fuqua, Jr.

JAF/jel

Pc: Planning & Zoning Commission

Jamie Whitehouse, Acting Director

Vince G. Robertson, Esquire

James P. Sharp, Esquire

Everett Moore, Esquire

FUQUA, WILLARD, STEVENS & SCHAB, P.A.

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PHONE 302-856-7777
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realestate@fwsslaw.com

February 20, 2020

Robert C. Wheatley, Chairman
Planning & Zoning Commission
P.O. Box 417
Georgetown, DE 19947

RECEIVED

FEB 20 2020

SUSSEX COUNTY
PLANNING & ZONING

Re: Old Mill Landing (North) Subdivision #2019-13

Dear Chairman Wheatley:

The Applicant, Old Mill Bridge, LLC, respectfully requests that the Planning and Zoning Commission reconsider Condition "G" imposed on the preliminary site plan approval of Old Mill Landing (North) / Subdivision #2019-13, (the subdivision) for the following reasons:

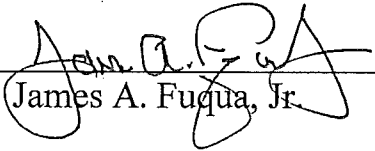
CONDITION "G"

Condition "G" states in part "As proffered by the Applicant, sidewalks shall be installed on both sides of all internal streets". Actually, the Applicant proposed that sidewalks be located on one side of all streets. This was proposed for the purpose of reducing impervious cover on the site. There is no provision in the Zoning or Subdivision Ordinances requiring sidewalk on both sides of streets and even under the design criteria of the AR-1 Cluster Development Option, sidewalks are only required on one side of subdivision streets. (Sec. 115-25(F)(3)(a)(9)).

For the reasons stated, the Applicant respectfully requests that Condition "G" be amended by deleting the words "both sides" and substituting "one side".

Respectfully submitted,

FUQUA, WILLARD,
STEVENS & SCHAB, P.A.

By: 
James A. Fuqua, Jr.

JAF/jel

Pc: Planning & Zoning Commission

Jamie Whitehouse, Acting Director

Vince G. Robertson, Esquire

James P. Sharp, Esquire

Everett Moore, Esquire