Sussex County
Planning & Zoning Commission

AGENDA

July 18, 2019
6:00 P.M

Call to Order

Approval of Agenda

Approval of Minutes – June 27, 2019

Old Business

C/Z 1878 Captain's Way Development, LLC
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a GR-RPC (General Residential District – Residential Planned Community) to a GR-RPC (General Residential District – Residential Planned Community) to allow for garage studio apartments for Change of Zone No. 1721 (Ordinance No. 2295) for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 154.72 acres, more or less. The property is lying on the northeast side of Milton Ellendale Hwy. (Rt. 16), approximately 0.34 mile east of Hollytree Rd. 911 Address: N/A. Tax Parcels: 235-13.00-2.00, 2.06, 2.07, 2.08 and 235-13.00-32.00 through 332.00.

C/U 2177 Ingrid Hopkins
An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for an events venue to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 5.0 acres, more or less. The property is lying on the north side of Fisher Rd., approximately 0.45 mile and 0.76 mile west of Beaver Dam Rd. 911 Address: 30249 Fisher Rd., Lewes. Tax Parcels: 334-10.00-53.00 (portion of) and 334-10.00-55.00 (portion of).

C/Z 1883 OA-BP Marina Bay-Lakeside, LLC
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a MR-RPC Medium Density Residential District - Residential Planned Community to a MR-RPC Medium Density Residential District - Residential Planned Community to amend conditions of approval of Change of Zone no. 1475 (Ordinance no. 1573) for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 787.787 acres, more or less. The property is lying on the south end of Bay Farm Rd. and the south side of Trinity Rd. 911 Address: N/A. Tax Parcels: 234-30.00-1.00 through 430.00.
C/Z 1882 Nassau DE Acquisition Co., LLC

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District and C-2 Medium Commercial District to a HR-1 High-Density Residential District – Residential Planned Community for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 15.2 acres, more or less. The property is lying on the east side of Coastal Hwy. (Rt. 1), approximately 150 ft. north of Old Mill Rd, and on the north side of Old Mill Rd, approximately 708 ft. east of Coastal Hwy. (Rt. 1). 911 Address: N/A. Tax Parcels: 334-1.00-15.00 and 334-1.00-15.03.

Public Hearings

None

Other Business

Rehoboth Gateway – Outparcel 6
Revised Site Plan

S-18-80 Sussex Conservation District
Revised Site Plan

S-19-18 Procino-Wells & Woodland
Preliminary Site Plan

S-19-20 Masten Realty
Preliminary Site Plan

Lands of Henderson
Minor Subdivision off an Easement

Planning and Zoning Commission meetings can be monitored on the internet at www.sussexcountyde.gov.

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on July 11, 2019 at 2:08 p.m., and at least seven (7) days in advance of the meeting.

This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

####
Memorandum
To: Sussex County Planning Commission Members  
From: Jamie Whitehouse, Planning and Zoning Manager; Lauren DeVore, Planner III; Samantha Bulkilvish, Planner I and Jenny Norwood, Planner I  
CC: Vince Robertson, Assistant County Attorney  
Date: July 11, 2019  
RE: Other Business for July 18, 2019 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 July 18, 2019 Planning Commission meeting.

Rehoboth Gateway – Outparcel 6
Revised Site Plan  
This is a Revised Site Plan for the construction of a 3,502-sf. building to be used as a bank with a drive through window and other site improvements to be located off Coastal Highway. The parking for this outparcel has previously been approved as part of the overall Master Plan for Rehoboth Gateway on June 25, 2015 and the 93 spaces shown are still in compliance with the use. The Revised Site Plan is in compliance with the Sussex County Zoning Code. Tax Parcel: 334-13.00-325.51. Zoning: C-1 (General Commercial District). Staff are awaiting agency approvals.

S-18-80 Sussex Conservation District
Revised Site Plan  
This is a Revised Site Plan for a 5,070 sf., one and one-half story building, additional parking, a 6,720-sf. garage, 1,962 sf. equipment shed, 3,200 sf. equipment storage canopy and other site improvements to be located off Shortly Rd. The Commission has previously given Preliminary approval to this Site plan for the 5,070 sf. one and one-half story building and additional parking only on November 29, 2018. The Preliminary Site Plan is in compliance with the Sussex County Zoning Code. Tax Parcel: 135-23.00-5.00. Zoning: AR-1 (Agricultural Residential District). Staff are awaiting agency approvals.

S-19-18 Procino-Wells & Woodland
Preliminary Site Plan  
This is a Preliminary Site Plan for an office with parking and other site improvements. Conditional Use 2160 was approved March 19, 2019. A variance was approved for the side setback to accommodate an external fire escape that was required by the Office of the State Fire Marshal on July 1, 2019. The Preliminary Site Plan is in compliance with the Sussex County Zoning Code. Tax Parcel: 335-23.00-5.00. Zoning: AR-1 (Agricultural Residential District). Staff are awaiting agency approvals.

S-19-20 Masten Realty
Preliminary Site Plan  
This is a Preliminary Site Plan for a 5,100-sf. office and parking. The office will be in an existing dwelling. The parcel has been rezoned from AR-1 to B-2 (Business Community District) and was

**Lands of Henderson**

Minor Subdivision off an Easement

This is a Preliminary Minor Subdivision off a proposed 19’ easement over an existing driveway. The subdivision is to create one parcel measuring 0.8546 ac. +/- leaving a residual parcel of 0.7556 ac. +/- to be located off Evergreen Ln. Tax Parcel: 130-1.18-14.00. Zoning: MR (Medium Residential District). Staff are awaiting agency approvals.
The document contains a Conditional Use and Site Plan for a property located at 225 High Street, Lewes, DE. The plan outlines various conditions and requirements for the proposed use, which is an office space. The conditions include:

- The use shall be limited to professional offices only.
- As stated by the applicant, the use shall occur within the existing structure that will be renovated by the applicant, while maintaining its residential appearance from Savannah Rd.
- The hours of operation will be between 7:00 AM and 7:00 PM, Monday through Friday and weekend by appointments.
- Any dumpsters shall be located to the rear of the property.
- The applicant shall comply with all dedot requirements concerning entrance, traffic, and roadway improvements.
- All exterior lighting shall be downward screened so that it does not shine on neighboring properties or roadways.
- With the exception of the required handicapped spaces, all parking shall be located in the rear of the property behind the office. The parking areas shall be shown on the final site plan and clearly marked on the site.

The final site plan shall be subject to review and approval of the Sussex County Planning and Zoning Commission. The plan includes details such as setback requirements, parking, and additional paving width. There are also references to other documents and survey data. The plan is dated October 8, 2018, and is associated with the Sussex County Planning and Zoning Commission.
GENERAL NOTES:
1. Reviewing Site Plans and Map is acknowledges that BJS is responsible for their accuracy and that all changes shall be made by the site plan engineer and approved by the owner.
2. The Contractor shall determine all necessary precautions to protect all existing structures, utilities, and properties from property damages, and all damages shall be paid by the Contractor.
3. The property layout and dimensions shall be accurate and to layout or dimensions directed by the owner.
4. The property lines shall be surveyed prior to any excavation or grading.
5. This drawing does not include the necessary construction for constructing safety-all construction must be done in compliance with the Occupational Safety and Health Act of 1970 and all state and local safety and health regulations.
6. The property layout, dimensions, and elevations are based on a field survey performed by the owner.
7. The property layout is subject to survey by the owner.
8. This property is unimproved by the owner.
9. The site plan must be in compliance with the regulations of the Zoning Department.
10. The site plan must be in compliance with the regulations of the Building Department.
11. The site plan must be in compliance with the regulations of the Public Works Department.
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