

**PLANNING & ZONING COMMISSION**

ROBERT C. WHEATLEY, CHAIRMAN  
KIM HOEY STEVENSON, VICE-CHAIRMAN  
R. KELLER HOPKINS  
J. BRUCE MEARS  
HOLLY J. WINGATE



**Sussex County**

DELAWARE  
sussexcountyde.gov  
302-855-7878 T  
302-854-5079 F  
JAMIE WHITEHOUSE, AICP, MRTPI  
DIRECTOR OF PLANNING & ZONING

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date September 24, 2020.

Application: (CZ 1906) Eliud Ramirez-Mejia

Applicant: Eliud Samuel Ramirez Mejia  
153 Clayton Avenue  
Frankford, DE 19945

Owner: Eliud Samuel Ramirez Mejia  
153 Clayton Avenue  
Frankford, DE 19945

Site Location: Located on the west side of Dagsboro Road (Route 20) approximately 0.24 mile south of Crickett Street at 27346 Dagsboro Road, Dagsboro, DE 19947.

Current Zoning: Agricultural Residential (AR-1)

Proposed Zoning: Medium Commercial (C-2)

Comprehensive Land Use Plan Reference: Coastal Area

Councilmatic District: Mr. Rieley

School District: Indian River School District

Fire District: Dagsboro Fire District

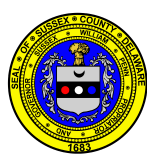
Sewer: Private, On-Site

Water: Private, On-Site

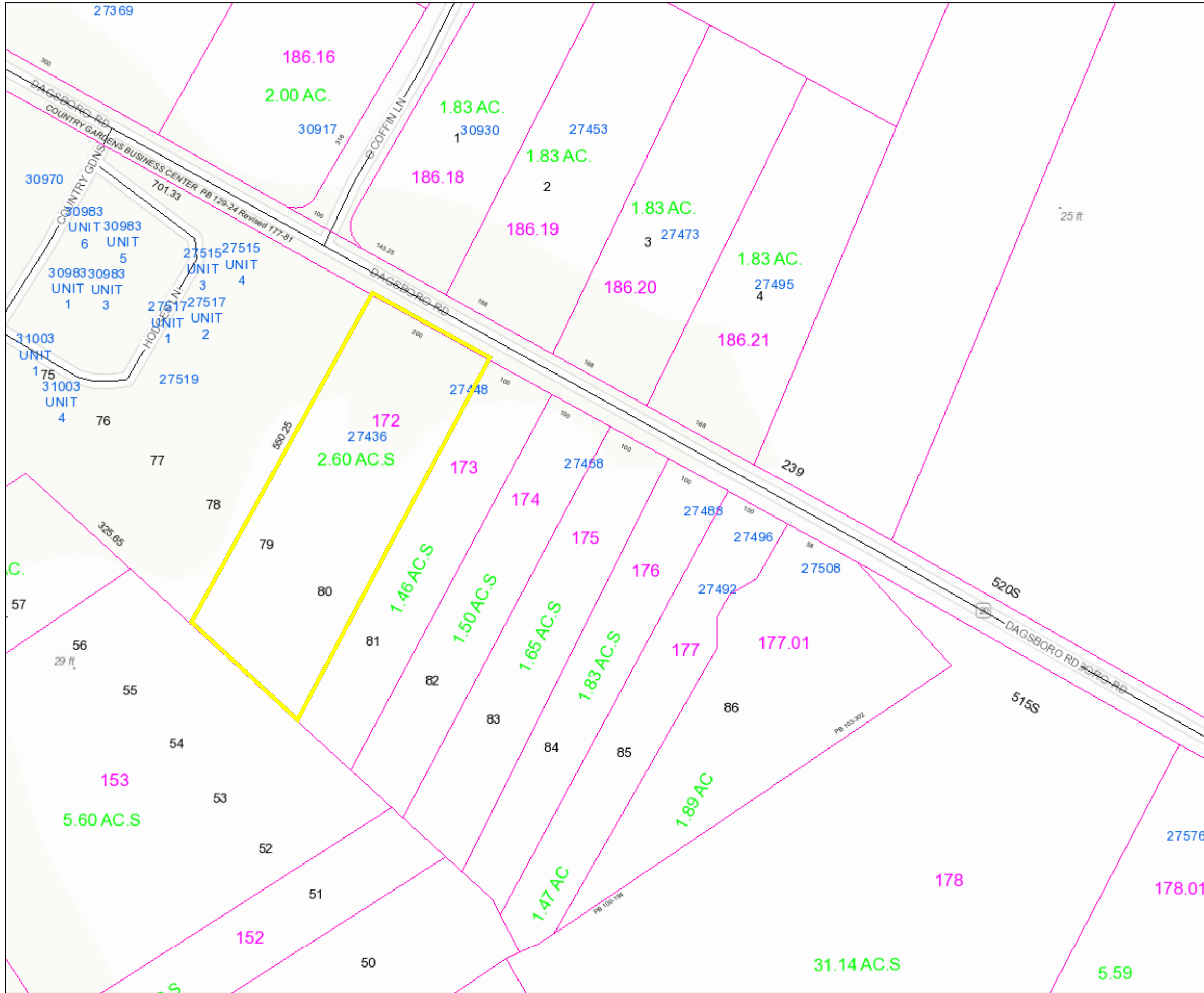
Site Area: 2.53 acres +/-

Tax Map ID.: 233-5.00-172.00



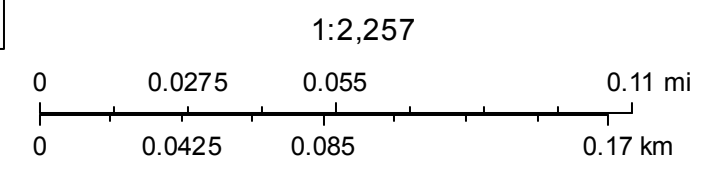


# Sussex County



<b>PIN:</b>	233-5.00-172.00
<b>Owner Name</b>	RAMIREZ-MEJIA ELUID
<b>Book</b>	4906
<b>Mailing Address</b>	153 CLAYTON AVE
<b>City</b>	FRANKFORD
<b>State</b>	DE
<b>Description</b>	W/HWY. LOT 79 & 80
<b>Description 2</b>	HOUSTON ACRES
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

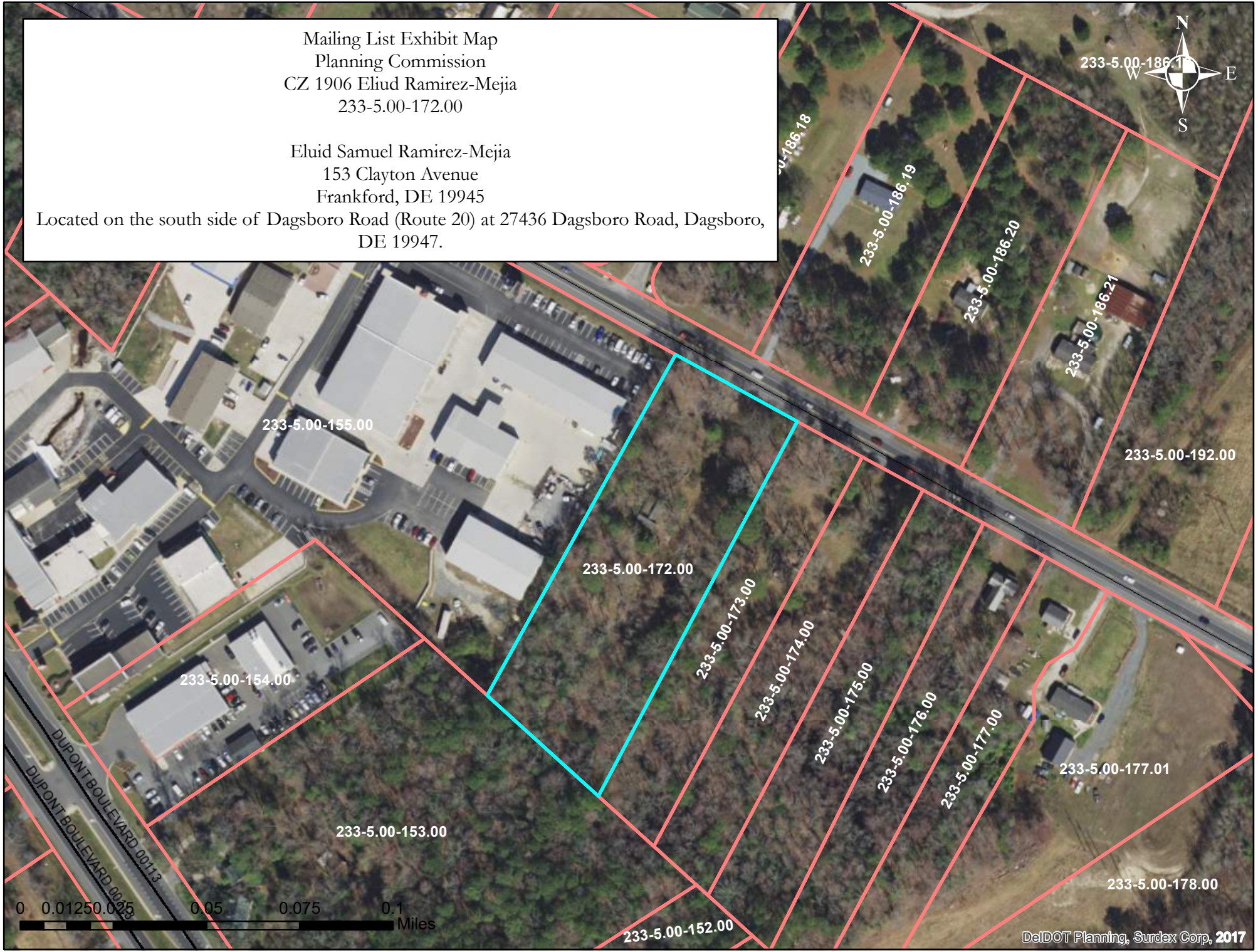




Mailing List Exhibit Map  
Planning Commission  
CZ 1906 Eliud Ramirez-Mejia  
233-5.00-172.00

Eliud Samuel Ramirez-Mejia  
153 Clayton Avenue  
Frankford, DE 19945

Located on the south side of Dagsboro Road (Route 20) at 27436 Dagsboro Road, Dagsboro,  
DE 19947.



JAMIE WHITEHOUSE, AICP MRTPI  
DIRECTOR OF PLANNING & ZONING  
(302) 855-7878 T  
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jamie.whitehouse@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Lauren DeVore, Planner III  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: September 2, 2020  
RE: Staff Analysis for CZ 1906 Eliud Samuel Ramirez-Mejia

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1906 Eliud Samuel Ramirez-Mejia to be reviewed during the September 24, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for parcel 233-5.00-172.00 to facilitate a change from an Agricultural Residential (AR-1) Zoning District to the Medium Commercial (C-2) Zoning District and is located at 27436 Dagsboro Road on the west side of Dagsboro Road (Route 20), approximately 0.24 miles south of Crickett Street. The size of the property is 2.60 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the property has the land use designation of "Coastal Areas."

The areas to the north, east and south are also designated "Coastal Areas." "Coastal Areas" are areas that can accommodate development provided special environmental concerns are addressed. The "Coastal Areas" also supports a range of housing types including single-family homes, townhomes, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Mixed-use development should also be allowed. The parcels to the northwest of parcel 172.00 are designated "Commercial Areas." "Commercial Areas" include concentrations of retail and service including commercial corridors, shopping centers

The Medium Commercial (C-2) Zoning District is listed as an applicable zoning district for the Coastal Area under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" of the 2018 Sussex County Comprehensive Plan.

The property is zoned Agricultural Residential (AR-1). The properties to the southeast, south and north sides of the application site on the opposite side of Dagsboro Road (Route 20) are zoned Agricultural Residential (AR-1) Zoning District. Properties to the west side of the application site are zoned General Commercial (C-1) as well as several properties to the southwest.



Since 2011, there have been two Change of Zone applications within the vicinity of the application site: To the east is CZ 1781 (Tax Parcel: 233-10.00-17.00) to facilitate a Change of Zone from an Agricultural Residential (AR-1) Zoning District to General Commercial (C-1) Zoning District, which was approved by County Council on September 22<sup>nd</sup>, 2015 through Ordinance #2418. The second application, to the west is CZ 1756 (Tax Parcel: 233-5.00-135.00) to facilitate a change of zone from an Agricultural residential (AR-1) Zoning District to a General Commercial (C-1) Zoning District, which was approved by County Council on October 7<sup>th</sup>, 2014 through Ordinance #2369.

Based on the analysis of the land use, surrounding zoning and uses, a change of zone to allow for a property zoned Medium Commercial (C-2) in this location, subject to parcel size and proposed zoning, could be considered as having a degree of consistency with the land use, surrounding area zoning and surrounding uses.

File #: CZ1906  
201911602

# Planning & Zoning Commission Application

## Sussex County, Delaware

Sussex County Planning & Zoning Department  
2 The Circle (P.O. Box 417) Georgetown, DE 19947  
302-855-7878 ph. 302-854-5079 fax

**Type of Application: (please check applicable)**

Conditional Use

Zoning Map Amendment

**Site Address of Conditional Use/Zoning Map Amendment**

27436 Pagsboro Rd, Pagsboro DE 19947

**Type of Conditional Use Requested:**

N/A

Tax Map #: 233-5.00-172.00 Size of Parcel(s): 2.53 Acres

Current Zoning: AR-1 Proposed Zoning: C-2 Size of Building: 3,200 SQFT

Land Use Classification: \_\_\_\_\_

Water Provider: On site Sewer Provider: On site

**Applicant Information**

Applicant Name: Eliud Samuel Ramirez Mejid.

Applicant Address: 153 Clayton AVE

City: Frankford State: DE Zip Code: 19945

Phone #: 302 278 5471 E-mail: Eliud@Coastalpaintremodeling.com

**Owner Information**

Owner Name: As Above

Owner Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Agent/Attorney/Engineer Information**

Agent/Attorney/Engineer Name: N/A

Agent/Attorney/Engineer Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_



# Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- Completed Application**
- Provide eight (8) copies of the Site Plan or Survey of the property**
  - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
  - Provide a PDF of Plans (may be e-mailed to a staff member)
  - Deed or Legal description
- Provide Fee \$500.00**
- Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- DeIDOT Service Level Evaluation Request Response**
- PLUS Response Letter** (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

**Signature of Applicant/Agent/Attorney**

\_\_\_\_\_

Date: 10/09/2019

**Signature of Owner**

\_\_\_\_\_

Date: 10/09/2019

**For office use only:**

Date Submitted: 10/9/19

Staff accepting application: CEH

Location of property: \_\_\_\_\_

Fee: \$500.00 Check #: credit card

Application & Case #: 2019 11602

Subdivision: \_\_\_\_\_

Date of PC Hearing: \_\_\_\_\_

Recommendation of PC Commission: \_\_\_\_\_

Date of CC Hearing: \_\_\_\_\_

Decision of CC: \_\_\_\_\_





STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. Box 778  
DOVER, DELAWARE 19903

JENNIFER COHAN  
SECRETARY

September 25, 2019

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request (SLER) for the **Eliud Samuel Ramirez-Mejia** rezoning application, which we received on August 30, 2019. This application is for an approximately 2.53-acre parcel (Tax Parcel: 233-5.00-172.00). The subject land is located on the south side of Dagsboro Road (Sussex Road 334), approximately 1,000 feet east of the intersection of Dagsboro Road and Thorogoods Road (Sussex Road 333), south of the Town of Millsboro. The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking to rezone the land to C-2 (Medium Commercial) to develop up to three 3,200 square-foot unspecified buildings.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Dagsboro Road where the subject land is located, which is from the northwest Dagsboro limits to US Route 113, are 10,771 and 13,862 vehicles per day, respectively.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell  
Page 2 of 2  
September 25, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Eliud Samuel Ramirez-Mejia, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance & Operations  
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**UTILITY PLANNING DIVISION**  
**C/U & C/Z COMMENTS**

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/8/2020**

APPLICATION: **CZ 1906 Eliude Ramirez-Mejia**

APPLICANT: **Eliude Samuel Ramirez-Mejia**

FILE NO: **DFPA-6.03**

TAX MAP &  
PARCEL(S): **233-5.00-172.00**

LOCATION: **West side of Dagsboro Road (SR 20) approximately 0.24 mile south of Cricket Street. 27346 Dagsboro Road, Dagsboro, DE**

NO. OF UNITS: **Upzone from AR-1 to C-2 (medium commercial)**

GROSS  
ACREAGE: **2.53**

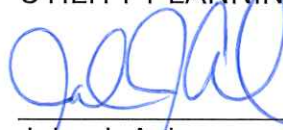
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 2**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Change of Zone is located in a Tier 2 area for sanitary sewer. The Sussex County Engineering Department does not have a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



---

John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
No Permit Tech Assigned

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

PAYNTER HOUSE   
26 THE CIRCLE OR P.O. BOX 250  
GEORGETOWN, DELAWARE 19947  
PHONE 302-856-7777  
FAX 302-856-2128  
onthecircle@fwsslaw.com

JAMES A. FUQUA, JR.  
WILLIAM SCHAB  
TIMOTHY G. WILLARD  
TASHA MARIE STEVENS  
MELISSA S. LOFLAND  
NORMAN C. BARNETT  
www.fwsslaw.com

HART HOUSE   
9 CHESTNUT STREET  
GEORGETOWN, DELAWARE 19947  
PHONE 302-856-9024  
FAX 302-856-6360  
realestate@fwsslaw.com

REHOBOTH OFFICE   
20245 BAY VISTA ROAD, UNIT 203  
REHOBOTH BEACH, DE 19971  
PHONE 302-227-7727  
FAX 302-227-2226

Robert Wheatley, Chairman  
Sussex County Planning & Zoning Commission  
2 The Circle  
Georgetown, DE 19947

August 31, 2020

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

**RE: Change of Zone  
CZ# 1906  
Eliud Samuel Ramirez-Mejia**

Dear Chairman Wheatley:

I represent Mr. Ramirez who has applied for this change of zone. Enclosed is a packet of information supporting this application.

1. Tax Maps;
2. Future Land Use Map;
3. Zoning Maps;
4. Surrounding Maps;
5. DelDot No TIS;
6. Staff Analysis;
7. CZ# 1781 Minutes;
8. Site Plan

Respectfully submitted,

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

By: 

Timothy G. Willard

TGW/jel  
Enclosures  
Pc: Steven Engel  
Mr. Eliud Ramirez-Mejia

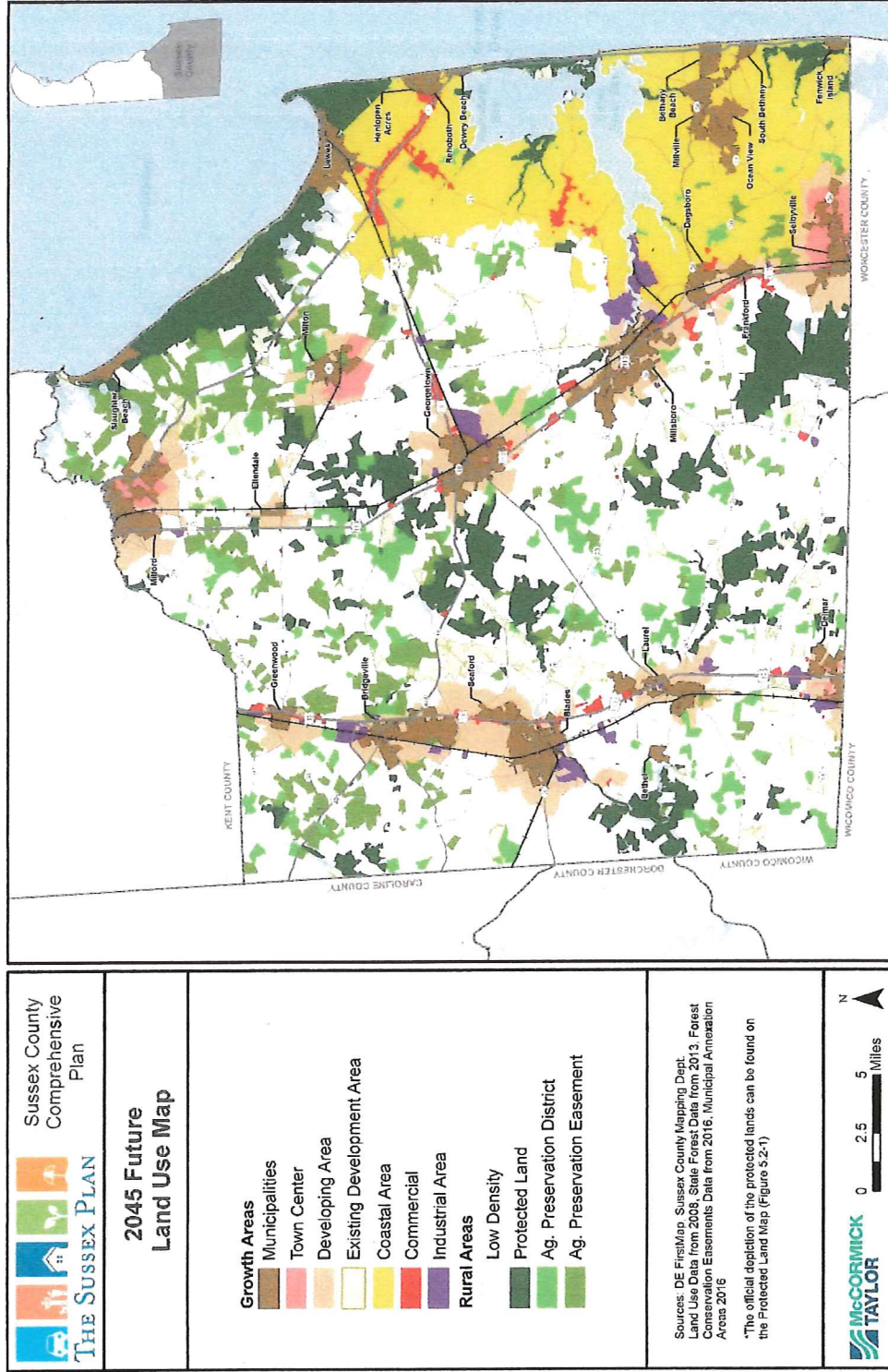
Mailing List Exhibit Map  
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CZ 1906 Eliud Ramirez-Mejia  
233-5.00-172.00

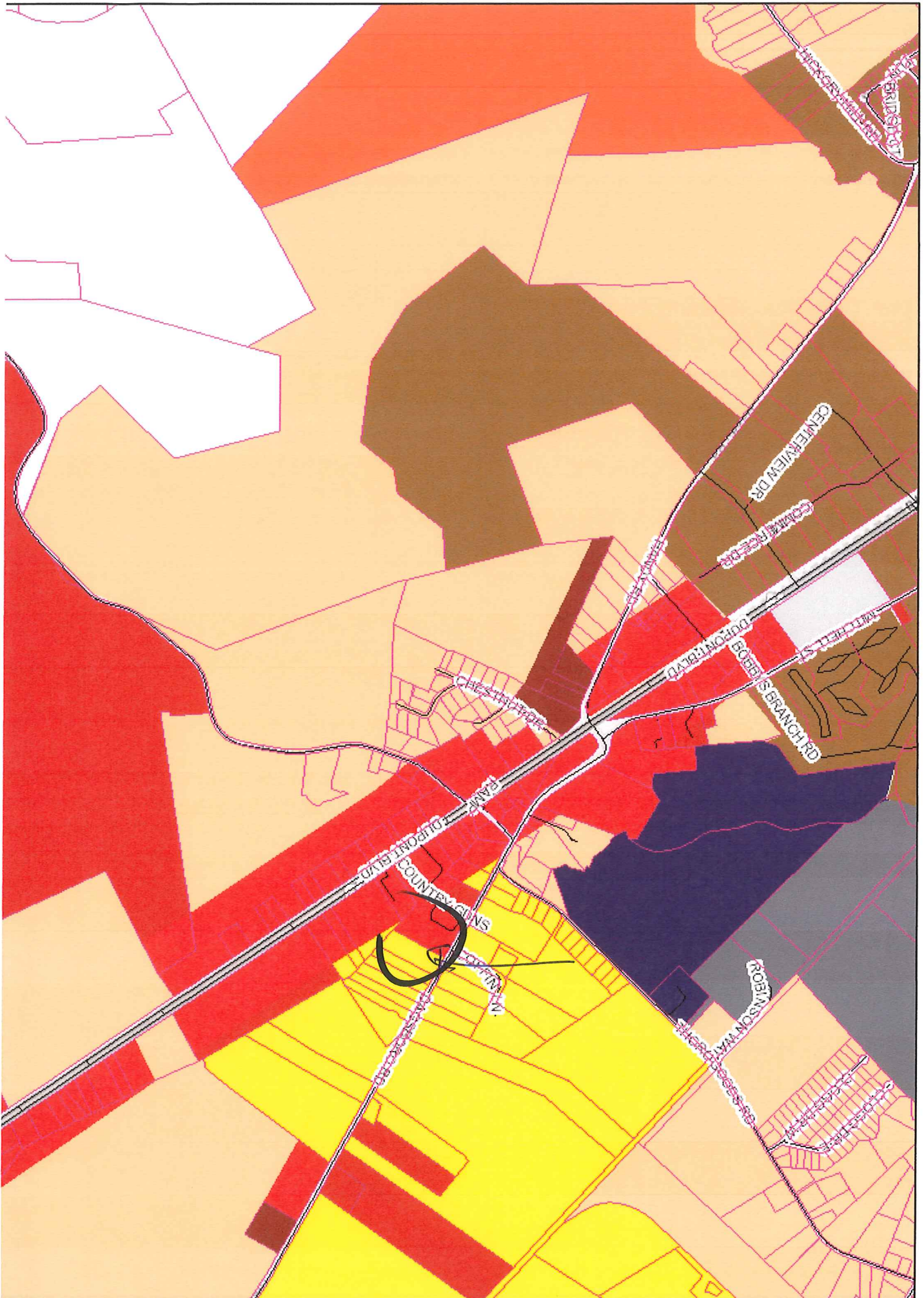
Eliud Samuel Ramirez-Mejia  
153 Clayton Avenue  
Frankford, DE 19945

Located on the south side of Dagsboro Road (Route 20) at 27436 Dagsboro Road, Dagsboro,  
DE 19947.



Figure 4.5-1 Sussex County 2045 Future Land Use





Sussex County







STATE OF DELAWARE  
DEPARTMENT OF TRANSPORTATION  
800 BAY ROAD  
P.O. Box 778  
DOVER, DELAWARE 19903

JENNIFER COHAN  
SECRETARY

September 25, 2019

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Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

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Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.

If the County approves this application, the applicant should be reminded that DeIDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell  
Page 2 of 2  
September 25, 2019

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Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
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**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Lauren DeVore, Planner III  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: February 7, 2020  
RE: Staff Analysis for CZ 1906 Eliud Samuel Ramirez-Mejia

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1906 Eliud Samuel Ramirez-Mejia to be reviewed during the February 13, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for parcel 233-5.00-172.00 to facilitate a change from an Agricultural Residential (AR-1) Zoning District to the Medium Commercial (C-2) Zoning District and is located at 27436 Dagsboro Road on the west side of Dagsboro Road (Route 20), approximately 0.24 miles south of Crickett Street. The size of the property is 2.60 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the property has the land use designation of "Coastal Areas."

The areas to the north, east and south are also designated "Coastal Areas." "Coastal Areas" are areas that can accommodate development provided special environmental concerns are addressed. The "Coastal Areas" also supports a range of housing types including single-family homes, townhomes, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Mixed-use development should also be allowed. The parcels to the northwest of parcel 172.00 are designated "Commercial Areas." "Commercial Areas" include concentrations of retail and service including commercial corridors, shopping centers

The Medium Commercial (C-2) Zoning District is listed as an applicable zoning district for the Coastal Area under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" of the 2018 Sussex County Comprehensive Plan.

The property is zoned Agricultural Residential (AR-1). The properties to the southeast, south and north sides of the application site on the opposite side of Dagsboro Road (Route 20) are zoned Agricultural Residential (AR-1) Zoning District. Properties to the west side of the application site are zoned General Commercial (C-1) as well as several properties to the southwest.



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE 19947

Since 2011, there have been two Change of Zone applications within the vicinity of the application site: To the east is CZ 1781 (Tax Parcel: 233-10.00-17.00) to facilitate a Change of Zone from an Agricultural Residential (AR-1) Zoning District to General Commercial (C-1) Zoning District, which was approved by County Council on September 22<sup>nd</sup>, 2015 through Ordinance #2418. The second application, to the west is CZ 1756 (Tax Parcel: 233-5.00-135.00) to facilitate a change of zone from an Agricultural residential (AR-1) Zoning District to a General Commercial (C-1) Zoning District, which was approved by County Council on October 7<sup>th</sup>, 2014 through Ordinance #2369.

Based on the analysis of the land use, surrounding zoning and uses, a change of zone to allow for a property zoned Medium Commercial (C-2) in this location, subject to parcel size and proposed zoning, could be considered as having a degree of consistency with the land use, surrounding area zoning and surrounding uses.

MINUTES OF THE REGULAR MEETING OF AUGUST 27, 2015

The regular meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, August 27, 2015 in the County Council Chambers, Sussex County Administrative 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. Rodney Smith, Mr. Michael Johnson, Mr. I.G. Burton, III and Mr. Martin Ross with Mr. Vincent Robertson – Assistant County Attorney, Mr. Lawrence Lank – Director, and Ms. Janelle Cornwell – Planning and Zoning Manager.

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

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the Minutes of August 13, 2015 as circulated. Motion carried 5 – 0.

OLD BUSINESS

**C/U #2017 – Eli and Victoria Zacharia**

**An Ordinance to grant a Conditional Use of land in a MR (Medium Density Residential District) for multi-family dwelling structures to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 22,500 square feet, more or less. The property is located northwest of John J. Williams Highway (Route 24) 365 feet southwest of Spencer Lane, the entrance into Harts Landing Subdivision (911 Address: 20336 John J. Williams Highway, Lewes) Tax Map I.D. 334-18.00-7.00.**

The Commission discussed this application which has been deferred since August 13, 2015.

Mr. Johnson stated that he was not at the public hearing; that he has not yet reviewed the record: and that he would like to participate in the vote.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

**C/Z #1781 – Riverview Associates III, LLC**

**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 Dagsboro Hundred, Sussex County, containing 3.00 acres, more or less. The property is located southwest of Dagsboro Road (Road 334) 900 feet northwest of Fire Tower Road (Road 334A) (911 Address: 28086 Dagsboro Road, Dagsboro) Tax Map I.D. 233-10.00-17.00.**

The Commission discussed this application which has been deferred since August 13, 2015.

Mr. Johnson stated that he would not be participating in the discussion for this application since he was not present during the public hearing.

Mr. Smith stated that he would move that the Commission recommend approval of C/Z #1781 for Riverview Associates III, LLC for a Change of Zone from AR-1 Agricultural Residential to CR-1 Commercial Residential based upon the record made during the public hearing and for the following reasons:

- 1) This rezoning is for 3.0 acres of land. It is an expansion of an existing parcel that is currently zoned C-1 General Commercial. The applicant has sought the expansion to make a single usable commercially zoned parcel that is developable.
- 2) The site is situated along Dagsboro Road, near the intersection with U.S. Route 113. It is in an area where other commercial and business zonings and uses exist, including an office and retail complex. The use is consistent with these existing uses and zonings in the area.
- 3) The location is between Millsboro and Dagsboro in an area that is slowly developing. It is also within the Town Center Area under the County Comprehensive Plan, which permits commercial, retail, and office uses.
- 4) The use will not have an adverse effect upon neighboring properties. It is entirely surrounded by other land owned by the applicant.
- 5) The rezoning will not adversely affect area roadways or public facilities.
- 6) No parties appeared in opposition to the application.
- 7) Any development of the property will require further site plan approval by the Sussex County Planning and Zoning Commission.

Motion by Mr. Smith, seconded by Mr. Ross, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons stated. Motion carried 4 – 0. Mr. Johnson did not participate in the vote.

**C/Z #1780 – Lockwood Design and Construction, Inc.**

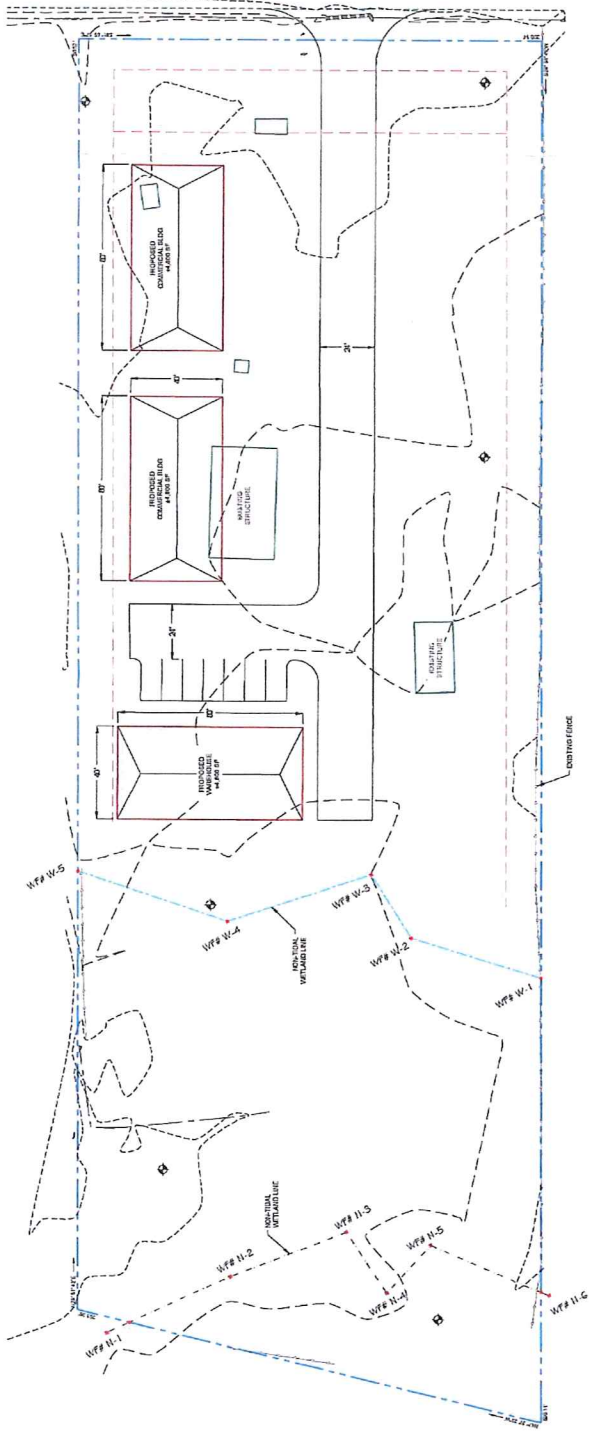
**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 (Agricultural Residential District) to a HR-1-RPC (High Density Residential District – Residential Planned Community) for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 35.45 acres, more or less.** The properties are located on the northeast side of Warrington Road (Road 275) 0.25 mile southeast of John J. Williams Highway (Route 24) (911 Address: None Available) Tax Map I.D. 334-12.00-127.02, 127.04, and 127.05.

The Commission discussed this application which has been deferred since August 13, 2015.

Mr. Johnson stated that he was not at the public hearing; that he has not yet reviewed the record; and that he would like to participate in the vote.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

Dagobert Road - State Route 20  
 75' R.O.W. - Metranance #6334  
 Minor Arterial - 50 MPH Speed Limit



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THIS PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF VISTA DESIGN, INC. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. VISTA DESIGN, INC. IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.



