

Kent County Levy Court Meeting Notice and Agenda
Kent County Administrative Complex
555 Bay Road, Dover, DE
Tuesday, February 27, 2007
Levy Court Chamber, Room 203

Call to Order

Invocation

Pledge of Allegiance

Moment of Silence for our Troops

Roll Call and Determination of Quorum

Additions/Deletions to Agenda

Adoption of the Agenda

Consent Agenda 07-03:

Items on the agenda were discussed in committee. They are considered routine and non-controversial and will be acted upon by a single roll call vote of the Levy Court. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item shall be removed from the Consent Agenda and considered separately. Items are from the February 20th Public Works Committee Meeting:

- Biosolids Equipment Replacement Purchase Update
 - Wastewater Treatment Facility (WTF) Primary Electric Cable and Transformer Replacement
 - Murderkill River Area Sewer Extension Core Infrastructure, Change Order No. 1, Asset Builder Contract
 - WTF, Security Enhancements
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PRESENTATIONS:

1. Tribute to Robert J. O'Neill, Jr.
2. Employee of the Month for March 2007

INTRODUCTIONS

7:15 p.m., PUBLIC HEARINGS

PETITIONS TO AMEND COMPREHENSIVE PLAN AND ZONING MAP:

Mr. Eaby:

1. **Ordinance LC06-65**, An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Section 205-8 and Section 205-9, and Article XXVII (changes and amendments) effective December 01, 2000, as amended
(Reference: **Application:** CZ-07-03; **Owner/Applicant:** Bernard A. Bruner ; **Present Comprehensive Plan Map Designation:** Industrial; **Proposed Comprehensive Plan Map Designation:**

*** A limited number of assistive listening devices are available upon request. Please check with a staff member.*

PUBLIC HEARINGS continued

PETITIONS TO AMEND COMPREHENSIVE PLAN AND ZONING MAP:

Mr. Eaby, continued:

Commercial; Present Zoning District: IG (General Industrial); Proposed Zoning District: BG (General Business); Relation to Growth Zone: Inside; Present Use: Auto Sales; Proposed Use: Same; School District: Capital; Fire District: Cheswold; Area and Location: 0.90 acres +/- located at the intersection of Marian Drive and North DuPont Highway (U.S. Route 13), approximately 216 feet +/- north of Fork Branch Road (County Road 153), northeast of Dover; Property Identification Number: LC-00-057.01-01-04.00-000, LC-00-057.01-01-05.00-000)

Mr. Edmanson:

1. **Ordinance LC06-67**, An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Section 205-8 and Section 205-9, and Article XXVII (changes and amendments) effective December 01, 2000, as amended
(Application: CZ-07-05; Owner/Applicant: Lucian Szczepanski; Present Comprehensive Plan Map Designation: Low Density Residential and Commercial; Proposed Comprehensive Plan Map Designation: Commercial; Present Zoning District: BG (General Business) and AR (Agricultural Residential); Proposed Zoning District: BG (General Business); Relation to Growth Zone: Inside; Present Use: Retail/Wholesale Furniture; Proposed Use: Same; School District: Caesar Rodney; Fire District: Camden-Wyoming; Area and Location: 1.4 acres +/- located on the east side of South DuPont Highway (U.S. Route 13), approximately 2,028 feet +/- north of Barney Jenkins Road (County Road 370), southeast of Woodside; Property Identification Number: NM-00-111.00-02-10.00-000)

Mr. Banta:

1. **Ordinance LC06-60**, An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Section 205-8 and Section 205-9, and Article XXVII (changes and amendments) effective December 01, 2000, as amended
(Application: CZ-07-02; Applicant: Davis, Bowen & Friedel, Inc.; Owner: Twin Willows Development, LLC; Present Comprehensive Plan Map Designation: High Density Residential; Proposed Comprehensive Plan Map Designation: Low Density Residential; Present Zoning District: RM (Multi-Family Residential); Proposed Zoning: AC (Agricultural Conservation); Relation to Growth Zone: Inside; Present Use: Vacant; Proposed Use: Residential; School District: Smyrna;

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PUBLIC HEARINGS continued

PETITIONS TO AMEND COMPREHENSIVE PLAN AND ZONING MAP:

Mr. Eaby, continued:

Fire District: Smyrna; **Area and Location:** 9,684 square feet +/- east of North DuPont Highway (US Rte. 13), south of Twin Willows Road (Co. Rd. 84) in Spring Meadows Subdivision on both sides of Ashfield Court, southeast of Smyrna; **Property Identification Number:** DC-00-037.02-02-95.00-000, DC-00-037.02-02-96.00-000)

PETITIONS FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mr. Banta:

1. **Application:** CS-06-09; **Preliminary Plan Title:** Garrisons Lake Phase II; **Applicant/Owner:** Garrison Lake Farm L.P.; **Engineer:** Van Cleef Engineering Associates; **Present Zoning District:** AC (Agricultural Conservation); **Present Use:** Agricultural; **Proposed Use:** Cluster Development; **Relation to Growth Zone:** Inside; **School District:** Smyrna; **Fire District:** Cheswold; **Area and Location:** Southeast sd. of Brenford Rd. (Co. Rd. 42), approx. 156 ft. southwest of Ryan Rd. (Co. Rd. 146), southwest of Cheswold; **Property Identification Number:** KH-00-036.00-02-31.03-000, KH-00-037.00-01-01.00-000
2. **Application:** CS-07-05; **Site Plan Title:** Harvey and Wendy Byler; **Owner/Applicant:** Harvey D. and Wendy J. Byler; **Engineer:** Braun Engineering and Surveying; **Present Zoning District:** AC (Agricultural Conservation); **Present Use:** Residential; **Proposed Use:** Home Based Contractors Establishment; **Relation to Growth Zone:** Outside; **School District:** Smyrna; **Fire District:** Clayton; **Area and Location:** 4.9284 acres +/- on the north side of Millington Road (County Road 39), approximately 2,300 feet +/- east of Alley Mill Road (County Road 133), west of Clayton; **Property Identification Number:** KH-00-018.00-01-01.01-000

CLOSE PUBLIC HEARINGS

OLD BUSINESS

Mr. Banta:

1. Lift Standing Committee Appointments off table (*tabled January 30th*) and proceed (Moved from 2/20/07 agenda)

NEW BUSINESS

Mr. Buckson:

1. Resolution 2768, SL-05-27, Fawn Crossing
2. Resolution 2771, SL-06-07, The Estates at Double Run Creek

INFORMATION ITEMS

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN

Posted: 2/21/07

Revised:

Posted by: L. Tanaka

Time: 11:30 a.m.

Take down: upon replacement

29 Del.C. §10004(e)(2). The Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the meeting.