

Kent County

Department of Planning Services Division of Planning

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STAFF RECOMMENDATION REPORT October 7, 2021

Application Number : C-21-05

Applicant/Owner : Adelheid A. Blackwood
2118 Woodleytown Rd.
Magnolia, DE 19962

Present Zoning District : AC (Agricultural Conservation)

Present Use : Residential

Proposed Use : Residential with Dog Grooming

Area and Location : 5.5± acres located on the south side of
Woodleytown Rd, approx. 234 ft. east of
Briarbush Rd, west of Magnolia.

The applicant is proposing a 30' by 50' building to be utilized for a dog grooming business on a residential property with nine (9) parking spaces. The applicant is the owner operator of the proposed business and is also the property owner that resides on the subject parcel.

I. STAFF RECOMMENDATION:

The staff recommends **CONDITIONAL APPROVAL** based on the information submitted as the application demonstrates compliance with the conditions for approval as outlined in the Code below.

§205-223 Parking setbacks

Parking area shall be set back 25' from the front property line and 20' from the side property lines.

§205-286 Dog grooming business

A. Conditions of this use shall be as follows:

- (1) There is no overnight boarding of animals, and there are no kennels on the property.

(2) Off-street parking is provided in accordance with requirements for retail and service uses in Article XVII, Parking.

(3) All requirements, regulations and recommendations submitted by any agency member of the Development Advisory Committee shall be satisfied.

- B. The reviewing body may impose any appropriate or more stringent conditions it deems necessary to protect the health, safety and welfare of the neighborhood.

Recommendations

1. The proposed building to be used for dog grooming meet the principal structure setbacks of 15' from the side with an aggregate of 40' to provide less of an impact on the neighboring property owners.
2. Provide a landscape buffer, 6' in height, from the parking area to the adjacent parcel to the east to provide a screening buffer to the neighboring property from the automobile headlights.

II. BACKGROUND INFORMATION:

- The 5.5± acre subject site is currently improved with a dwelling, shed, and accessory building.
- The character of this area is residential and agricultural in nature. The parcel to the west is residential, the parcels to the east and south west are agricultural, and the parcel on the north side of Woodleytown Rd. is agricultural with a dwelling on the parcel.
- There have been no previous applications on the subject parcel. There have been no similar applications in the nearby vicinity.

III. AGENCY COMMENTS

A. KENT COUNTY DEPARTMENT OF PUBLIC WORKS

Contact: Brian Hall, Engineering Project Manager II

Comment:

1. The Engineering Division grants "Approval", (With No Objection to Recordation), as applicable.

IV. OWNER/APPLICANT:

The owner shall be aware of and be prepared to comply with all comments regarding this project stated in this report and any additional requirements that may be placed by the Levy Court through the Conditional Use process. All comments and conditions must be addressed prior to commencement of operations.

This recommendation is offered without the benefit of public testimony and is based on the information presented when the application was received by the Department of Planning Services. The Regional Planning Commission shall give considerable weight to public testimony received during public hearing in considering its recommendation to Levy Court in this matter.

ENC: Data Sheet
Exhibit A – Location and Zoning Map
Exhibit B – Plot Plan

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DATA SHEET FOR CONDITIONAL USE REVIEW

Regional Planning Commission Public Hearing of: **Thursday, October 7, 2021**

Regional Planning Commission Business Meeting of: **Thursday, October 14, 2021**

Levy Court Public Hearing of: **Tuesday, October 26, 2021**

| | | |
|---------------------------------------|---|---|
| Application | : | C-21-05 |
| Applicant/Owner | : | Adelheid E. Blackwood 2118 Woodleytown Rd. Magnolia, DE 19962 |
| Present Zoning District | : | AC (Agricultural Conservation) |
| Relation to Growth Zone | : | Inside |
| Present Use | : | Residential |
| Proposed Use | : | Residential with Conditional Use for Dog Grooming |
| Levy Court District | : | 4 th - Buckson |
| School District | : | Caesar Rodney |
| Fire District | : | Magnolia |
| Area and Location | : | 5.5± acres located on the south side of Woodleytown Rd, approx. 234 ft. east of Briarbush Rd, west of Magnolia. |
| Property Identification Number | : | SM-00-112.00-01-12.00-00001 |



Kent County Levy Court

LOCATION AND ZONING MAP Exhibit A

Application: C-21-05
Blackwood

APPLICANT/OWNER:

Adelheid E. Blackwood

PRESENT ZONING DISTRICT:

AC (Agricultural Conservation)

PRESENT USE:

Residential

PROPOSED USE:

Same with Conditional Use for Dog Grooming

LEVY COURT DISTRICT:

4th - Buckson

TAX MAP NO:

SM-00-112.00-01-12.00-000

LOCATION: 5.5+ acres located on the south side of Woodleytown Rd, approx. 234 ft. east of Briarbush Rd, west of Magnolia.

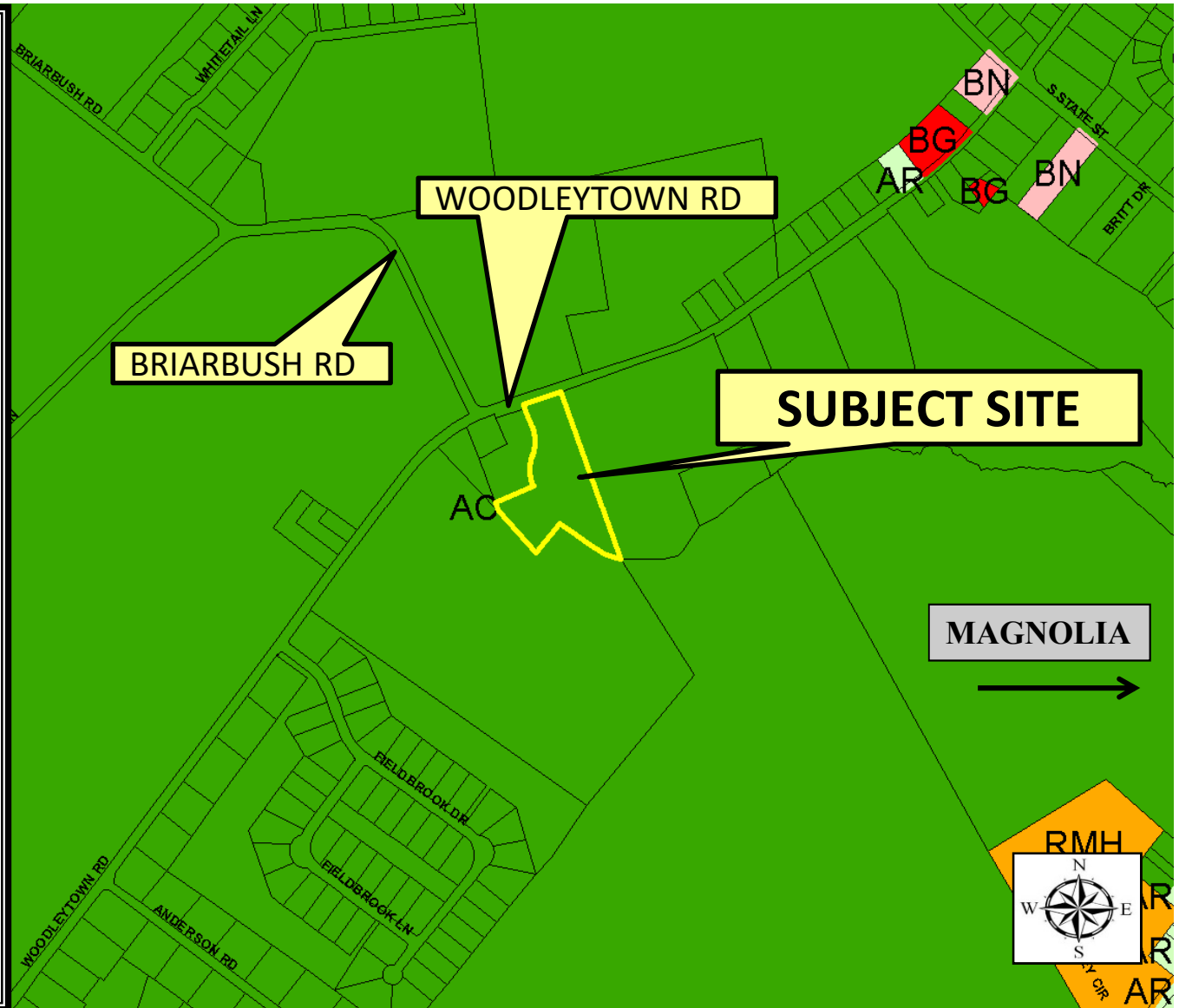
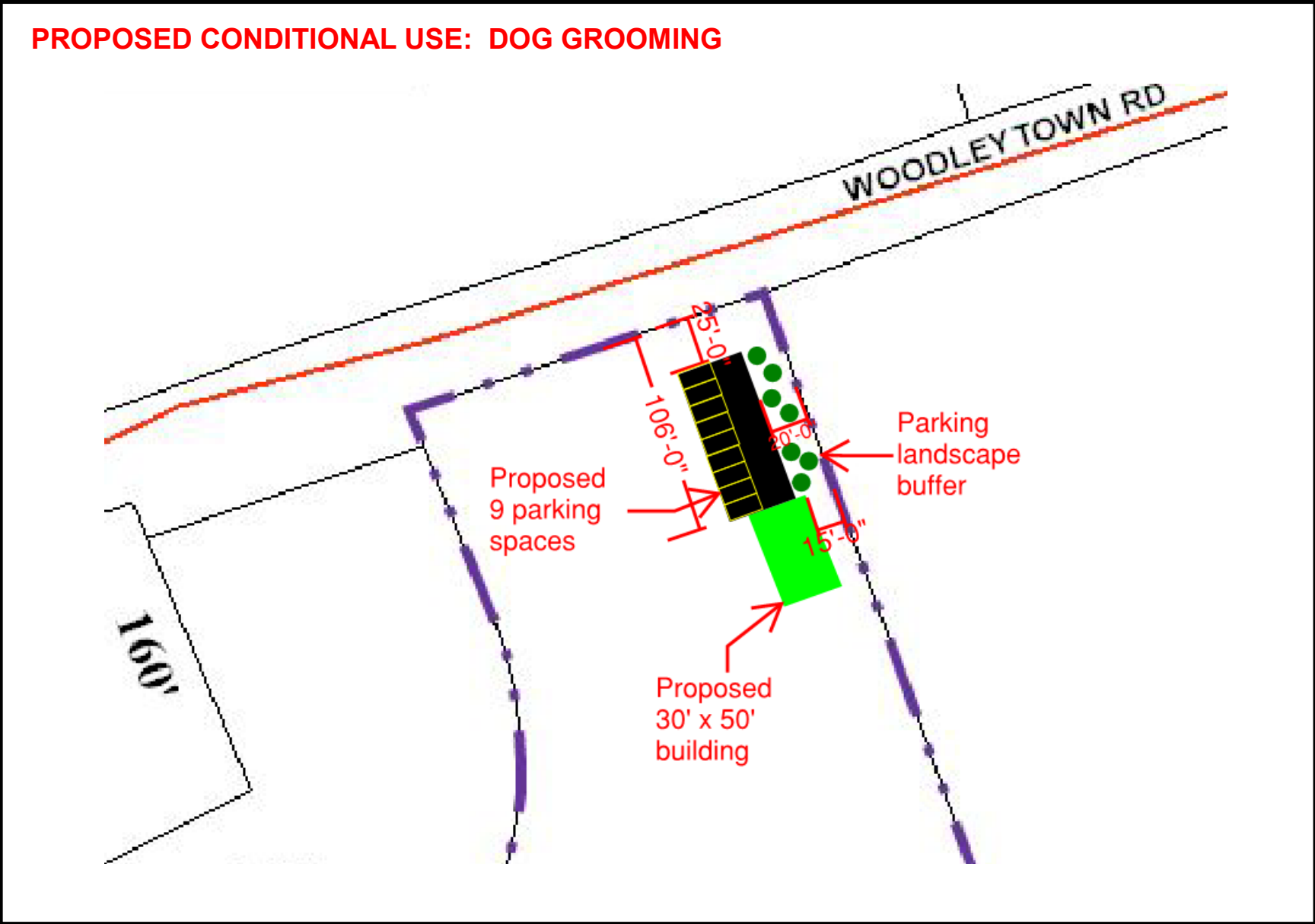


Exhibit B

PROPOSED CONDITIONAL USE: DOG GROOMING



PLOT PLAN