

Planning & Zoning Commission Meeting
June 20, 2024
MEETING HELD IN-PERSON & VIA TELECONFERENCE

The regularly scheduled meeting of the Planning & Zoning Commission was held at Delmar Town Hall and via teleconference. Commission Members in attendance: Deputy Mayor Lenox, and Vice Mayor Jones, Jonathan Layton, Beverly Wilson, and Shawn Johnson. Key personnel: Planning and Zoning Director, Twain Evanson, Code Enforcement Officer Liz Peek and Clerk of Council Vondell Spencer. Guests: Rodney Brown; Sadhak Gonzalez, and Greg Johnson, and via teleconference Chris Brown.

Called to Order:

Deputy Mayor Lenox called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

Old Business –

Deputy Mayor Lenox welcomed Planning and Zoning Director, Twain Evanson back to work and he said is glad to hear that Mr. Evanson is doing well.

Approval of Minutes –

A motion was made and seconded (Wilson/Jones) to approve the May 23, 2024 meeting minutes as circulated by a vote of 4 Ayes 1 Abstain (Layton).

New Business –

1. **Rob Plitko or Will Kernodle — Request for Services & Parcel Separation – 10977 E. State St., Delmar, DE** – Mr. Greg Johnson, owner of the property, presented his request for parcel separation as referenced. He said he is requesting separation of a parcel that was formerly Bonanza and a pole building that is behind the shopping center that are currently one parcel. The separation would be one parcel with the old Bonanza Building and one parcel with the pole building. He said no changes and no additions just the separation of the parcel into two parcels.

Deputy Mayor Lenox said to Mr. Johnson it appears the former Bonanza parcel and pole building parcel are separated by an easement. Deputy Mayor Lenox clarified Mr. Johnson has an easement over the property but it is not Mr. Johnson's property, so the lots are not connected. He further said all of the lots are separate and they are not even contiguous. Mr. Johnson agreed.

Commission Member Wilson asked P&Z Director Evanson if the pole building complies with the town's standards. Mr. Evanson answered yes.

Deputy Mayor Lenox inquired about the request for services. Mr. Evanson responded Mr. Johnson is going to come back before the Utility Commission and request services. Mr. Johnson explained he does not anticipate having sewer or water in the pole building because it is used strictly for warehouse purposes only. He further explained he does not want a request for services. A conversation ensued clarifying the request for services.

Mr. Johnson explained the reason for parcel separation was to split ownership and he will retain ownership of the pole building. A conversation ensued about the next steps Mr. Johnson will take with Sussex County Planning and Zoning and Sussex County Recorder of Deeds.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Rob Plitko or Will Kernodle - Request for Parcel Separation – 10977 E. State St., Delmar, DE, per the attached drawings. A motion was made/seconded (Johnson/Layton) and carried by a vote of 5 Ayes.

2. **Sadhak Gonzalez – New Home Build – 502 E. East St.; 506 E. East St., Delmar, MD**
– Mr. Gonzalez presented a new home build as referenced per the attached drawings. Mr. Gonzalez expressed he would like to get a permit to remodel a house on 504 E. East St. and a permit to build a home on the lot next door to that home.

Mr. Evanson explained to the commission the lot on the left where the existing house is located does not meet the minimum lot requirement because it is under 9,000 sq ft. He further explained Mr. Gonzalez will only be able to build the new home on the lot on the right side. Mr. Evanson provided clarity about the front porch drawing and the front porch survey.

Commission Member Wilson clarified that this commission is only dealing with one house and one lot at this present time. Mr. Evanson informed the commission the setbacks are in order for the new home build.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Commissioners for – Sadhak Gonzalez – New Home Build – 506 E. East St., Delmar, MD, as shown on the plans with a revision date of June 18, 2024. The plans show the porch facing the house to the right and subject to the plans being signed and sealed. A motion was made/seconded (Wilson/Jones) and carried by a vote of 5 Ayes

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 90, 11889 Yellowwood Dr., Delmar, DE**
– Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Wilson noted there appears to be some vacant area between a Hazel and a Hazel on another side. The setbacks are in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot

90, 11889 Yellowwood Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Johnson/Wilson) and carried by a vote of 5 Ayes.

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 18, 11739 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Wilson noted there are vacant lots on either side and the setbacks appear to be in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 18, 11739 Silverbell Dr., Delmar, DE, per the attached drawings. A motion as made/seconded (Jones/Layton) and carried by a vote of 5 Ayes.

5. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Aspen/Elevation K – Lot 153, 11724 Silverbell Dr., Delmar, DE** – Mr. Brown withdrew this submittal.

6. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 162, 11718 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Wilson noted this is a corner lot and the other street is Sandberry and there is a Cedar on the other side. The setbacks appear to be in order.

Deputy Mayor Lenox called for a favorable recommendation the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 162, 11718 Silverbell Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Johnson/Layton) and carried by a vote of 5 Ayes.

7. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 164, 11710 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Wilson noted there is a Cedar on one side and a Hazel on the other. The setbacks appear o be in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 164, 11710 Silverbell Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Wilson/Jones) and carried by a vote of 5 Ayes.

Commission Comments –

Commission Members Johnson, Layton and Vice Mayor Jones had no comment.

Commission Member Wilson asked was there any conversation on the success at the “Chat and Chew” last night? Deputy Mayor Lenox answered he is unsure about the attendance that day but the council and commission were very active with Ms. Oberton in trying to get the word out for cooperation needed to meet EPA Standards in reference to lead and copper.

Public Comments –

None.

Adjournment –

Deputy Mayor Lenox called for a motion to adjourn the meeting. The motion was made/seconded (Jones/Johnson) and carried by a vote of 5 Ayes.

Submitted by:

Vondell Spencer

Clerk of Council