

KENT COUNTY LEVY COURT COMBINED MEETING NOTICE AND AGENDA
Kent County Administrative Complex
555 Bay Road, Dover, DE 19901
Tuesday, October 24, 2017
Levy Court Chamber (203)

7:00 P.M., BUSINESS MEETING

Call to Order
Invocation
Pledge of Allegiance
Moment of Silence for our Troops
Roll Call and Determination of Quorum
Adoption of Agenda
Consent Agenda 17-14

Items on the Consent Agenda are considered routine and/or 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 items shall be removed from the Consent Agenda and considered separately under New Business.

- **Levy Court Business Meeting Minutes of Tuesday, October 10, 2017**
- **Item from the October 17, 2017 Committee Meetings:**
 - **South Basin Liner Replacement – Engineering Services Contract Amendment**

PRESENTATIONS

1. **Employee of the Month** for November 2017
2. **Resolution 3663** – Retirement of Albert F. Biddle, Jr.

INTRODUCTIONS

PUBLIC HEARINGS

KCSDD1 PROPOSED SEWER EXTENSION:

Mr. Angel:

1. **Resolution 3661**, Kent County Sewage Disposal District No. 1 (KCSDD1) Proposed Sewer Extension – New Harvest Baptist Church – East Dover Area

INCREASING DISABLED PROPERTY OWNER AND SENIOR CITIZEN EXEMPTION AMOUNT

Mr. Hosfelt:

1. **Ordinance LC17-24**, An Ordinance to amend Kent County Code, Vol. II, Chapter 191, Taxation; Article I: Disabled Property Owner and Senior Citizen Exemption; §197-7 Income Limits, as amended, by increasing the exemption amount

PUBLIC HEARINGS, continued

PETITION FOR CONDITIONAL USE APPROVAL:

Mr. Hosfelt:

1. **Application #:** C-17-06; **Applicant / Owner:** Angus Park, LLC / Calvary Baptist Church of Dover; **Zoning District / Proposed Use:** Church / Retail Sales, Service & Parts of Farm Equipment; **Area & Location / ID#:** 6.0+ acres on the northeast corner of Victory Chapel Rd. (Co. Rd. 163) and Forrest Ave. (DE Rt. 8), west of Dover / WD-00-074.00-01-48.00-000

PETITIONS TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:

Mr. Buckson:

1. **Ordinance LC17-21**, 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 XXVIII (changes and amendments) effective December 01, 2000, as amended.
(Ref **Application #:** CZ-17-11; **Applicant & Owner:** Walter Zettlemoyer, Trustee; **Proposed Zoning District:** BG (General Business); **Area & Location / ID#:** 5.7± acres on east side of Milford Neck Road (Co. Rd. 120), approx. 524 ft. east of Bay Road (DE Rt. 1), southeast of Frederica / MD-00-141.00-01-33.00-000)

PETITIONS FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mr. Banta:

1. **Application # / Name:** CS-17-03 / Wilson, George E. Jr.; **Applicant / Owner:** Eco-Site, Inc. % Tracy White / George E. Wilson, Jr. Trustee; **Zoning District / Proposed Use:** IG (General Industrial) & AC (Agricultural Conservation) / Telecommunications Tower; **Area & Location / ID#:** 222.84 ± acres on the east side of Hurd Rd. (Co. Rd. 326), approx. 370' south of Dutch Neck Rd. (Co. Rd. 83), and on the south side of Dutch Neck Rd. (Co. Rd. 83), approx. 459' east of Hurd Rd. (Co. Rd. 326), east of Smyrna

Mr. Howell:

1. **Application # / Name:** CS-17-09 / Jomak Mini Storage; **Applicant & Owner:** Jomak Properties, LLC; **Zoning District / Proposed Use:** BG (General Business) / Mini-Warehouses; **Area & Location / ID#:** 8.0253± acres on west side of S Dupont Hwy. (US Rt. 13) and east side of Collison Dr., 300+ ft. north of Hopkins Cemetery Road (Co. Rd. 289), north of Harrington / MN-00-160.00-01-09.00-000

PUBLIC HEARINGS, continued

AMENDMENTS TO THE KENT COUNTY CODE VOLUME II,
CHAPTER 205, ZONING:

Messrs. Buckson/Angel:

1. **Ordinance LC17-17: Impervious Cover.** An Ordinance to amend Kent County Code, Vol. II, Chapter 205, Zoning, as amended by revising Article V, AC-Agricultural Conservation District, §205-51, Coverage; Article VI, AR –Agricultural Residential District, §205-67, Coverage; Appendix 205:A1, Agricultural Conservation Matrix; and Appendix 205:A2, Agricultural Residential Matrix in order to increase the permitted impervious coverage for AC and AR zoned properties outside of the Growth Zone Overlay District from 20 percent to 25 percent.

Mr. Buckson:

1. **Ordinance LC17-18: Board of Adjustment.** An Ordinance to amend Kent County Code, Vol. II, Chapter 205, Zoning, as amended by repealing and replacing Article XXVII, Board of Adjustment in order to rearrange the sections of the Article, clarify the public hearing procedures for applications and allow for administrative variances of area and bulk requirements subject to specific limitations.

CLOSE PUBLIC HEARINGS

RECESS TO COMMITTEE MEETING

COMMITTEE MEETING

CALL TO ORDER

DETERMINATION OF QUORUM

FINANCE COMMITTEE

Mr. Hosfelt, Chairman

1. Community Event Promotional Grant Application Review and consideration:
The Great Pumpkin Food Truck Battle at DASEF

Public Comments

Adjourn

RECONVENE BUSINESS MEETING

OLD BUSINESS

Kent County Levy Court Meeting Notice and Agenda

Tuesday, October 24, 2017

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NEW BUSINESS

Mr. Hosfelt:

1. *Potential Action Item from Committee Meeting:* Community Event Promotional Grant Application Review and consideration: The Great Pumpkin Food Truck Battle at DASEF

Mr. Sweeney:

1. Action Item from October 17, 2017 Community Services Committee Meeting: *DASEF Special Event – The Great Pumpkin Food Truck Battle, Saturday, November 18, 2017*

OTHER BUSINESS

1. Move to go into Executive Session immediately following the Business Meeting for preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters pursuant to 29 Del.C. 10004(b)(2), (4), and (9)
2. Move to go into Executive Session immediately following the Committee Meetings of November 7, 2017 for preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters pursuant to 29 Del.C. 10004(b)(2), (4), and (9)

INFORMATION ITEMS

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN

EXECUTIVE SESSION

Immediately following the Business Meeting
Caucus Room

For preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters

Pursuant to 29 Del.C. 10004(b)(2), (4), & (9)

Posted: 10/17/17

Revised: 10/20/17

Posted by: L. Tanaka

Time: 2:35 AM

Take down: Upon Replacement or on 102517

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.