

## ***Planning & Zoning Commission***

***April 26, 2018***

The regularly scheduled meeting of the Planning & Zoning Commission was held at Town Hall on April 26, 2018. In attendance were Commissioner Scholl, Commission Members Catellier and Wilson, Community Development Coordinator Hardin and Clerk of Council Fisher. Absent: Chairman Boyan. Guests: Chris Brown, Will Kernodle, Mike Wilson, Kalpesh Patel, and Dipal Patel

### ***Call to Order***

Commissioner Scholl called the meeting to order. He asked anyone who would be addressing the Commission to sign in at the podium and that anyone with a cell phone to either turn it off or put it in silent mode. The Commission performed the Pledge of Allegiance.

### ***Approval of Minutes***

Commission Member Wilson made a motion to approve the March, 2018 minutes as circulated. Commission Member Catellier seconded the motion which passed with 3 ayes and 1 absent.

### ***New Business***

#### Michael Wilson- New sign for 502 N. Bi-State Blvd, Delmar, DE for Delmarva Performance and Repair

Mr. Wilson stated that he is allowed to have a sign on the building even with the pole sign. He took measurements of the building and it is a 30 ft. high, 70 ft. long building. A local company will be putting it up and it will be lit at night and be off during the day time hours. Community Development Coordinator Hardin said that there is a pole sign which has already been grandfathered in since it was in place prior to the 10 ft. monument sign restriction.

Commission Member Catellier made a motion for favorable recommendation to the Mayor and Council for a new sign for Delmarva Performance and Repair at 502 N. Bi-State Blvd., Delmar, DE, per the attached drawings. Commission Member Wilson seconded the motion which passed with 3 ayes and 1 absent.

#### Brock Parker- (Parker & Assoc.)302 N. Bi-State Blvd, Delmar, DE-Request to sub-divide parcel 88.00 into 2 parcels. Requesting a variance for the front building set-back line to be adjusted to allow future construction to be in-line with existing buildings.

Mr. Will Kernodle was present instead of Brock Parker. Mr. Kernodle informed the Commission that parcel 88.00 is located at the intersection of Lincoln Avenue and Bi-State Blvd. Proposed Lot 88A will be approximately 1.6 acres and proposed Lot 88B will be approximately 2 acres. The existing garage will be part of Lot 88A. The sub-division will follow the code with the exception of Lot 88A front setback. The zoning is Community Business which mandates a 40 ft. front setback. They are asking for a variance of 20 ft. to be more in-line with existing houses on the street. Mr. Kernodle provided a colored rendition of the placement of the homes on Lincoln Avenue that

showed the front setbacks as being 12 and 13 ft. These were in place prior to front setback regulations being put into place. If they are required to place the structure at the required 40 ft. front setback, it would not be in keeping with what is already in the community.

Commission Member Wilson made a motion for favorable recommendation to the Delaware Council for the subdivision of parcel 88 located at 302 N. Bi-State Blvd, Delmar, DE, per the attached drawings. Commission Member Catellier seconded the motion which passed with 3 ayes and 1 absent.

Commission Member Wilson made a motion for favorable recommendation for the variance request of the front setback to be 20 ft. instead of the required 40 ft. for Lot 88A. Commission Member Catellier seconded the motion which passed with 3 ayes and 1 absent.

Jordan Johnson- new sign for Razor's Edge located at 7 E. State St. Delmar, DE  
There was no one present to give a presentation.

Chris Brown- new home construction Lot 73, 11441 Buckingham Dr. home style 1680, Yorkshire Estates, Delmar, DE

After reviewing the plans, Commission Member Catellier made a motion for favorable recommendation to the DE Council for the new home construction on Lot 73, 11441 Buckingham Drive, home-style 1680, Yorkshire Estates, Delmar, DE per the attached drawings. Commission Member Wilson seconded the motion which passed with 3 ayes and 1 absent.

Chris Brown- new home construction Lot 88, 11555 Buckingham Dr. home style 1296, Yorkshire Estates, Delmar, DE

After reviewing the plans, Commission Member Wilson made a motion for favorable recommendation to the DE Council for the new home construction on Lot 88, 11555 Buckingham Drive, home-style 1296, Yorkshire Estates, Delmar, DE per the attached drawings. Commission Member Catellier seconded the motion which passed with 3 ayes and 1 absent.

Chris Brown- new home construction Lot 89, 11571 Buckingham Dr. home style 1918, Yorkshire Estates, Delmar, DE

After reviewing the plans, Commission Member Catellier made a motion for favorable recommendation to the DE Council for the new home construction on Lot 89, 11571 Buckingham Drive, home-style 1918, Yorkshire Estates, Delmar, DE per the attached drawings. Commission Member Wilson seconded the motion which passed with 3 ayes and 1 absent.

Chris Brown- new home construction Lot 90, 36419 Carriage Walk Lane. home style 1296, Yorkshire Estates, Delmar, DE

After reviewing the plans, Commission Member Wilson made a motion for favorable recommendation to the DE Council for the new home construction on Lot 90, 36419 Carriage Walk Lane, home-style 1296, Yorkshire Estates, Delmar, DE per the attached

drawings. Commission Member Catellier seconded the motion which passed with 3 ayes and 1 absent.

Kalpesh Patel- 30376 Trestle Place, Bridgewood Estates, Delmar, MD- Request for variance for building a house on a lot that is smaller than required, variance for side and front setbacks.

Mr. Patel stated that now he thinks he only needs a variance on the Newbridge Drive side of the property instead of the front and both sides he was originally asking for. After some discussion it was determined that Mr. Patel wanted to expand his house and what he was asking for was not shown on any documentation that was presented to the Commission. Mr. Patel was informed that the Planning and Zoning Commission could not approve something that was not in front of them.

Commission Member Catellier made a motion to table this discussion of new home construction at 30376 Trestle Place, Bridgewood Estates, Delmar, MD until Mr. Patel provides an updated signed and certified site plan showing exactly the layout of the home Mr. Patel is wanting and where it will be located on the property. Commission Member Wilson seconded the motion which passed with 3 ayes and 1 absent.

Mr. Patel was informed that the Planning and Zoning Commission could not approve something that was not in front of them.

Dipal Patel- 9062 Newbridge Drive Bridgewood Estates, Delmar, MD- requesting to remove existing deck, extending the existing bedroom, sunroom and living room in the back and on the side install an enclosed four season deck

Mr. Patel stated that he is asking for an addition/extension to his existing house on Newbridge Drive. He owns Lots 30 and 31 and has already combined them to create Lot 30A. Mr. Patel was informed that his site plan had incorrect information on it. The property line that once divided the properties is still showing in the site plan provided to the Commission. Commission Member Catellier said that the line and accompanying text would need to be removed from the site plan. Mr. Patel was informed that before he comes before the Maryland Mayor and Commissioners meeting, he needs to return to Parker & Associates and have them delete the property line along with the accompanying text. He needs to show that Lot 30A exists as a single lot.

Commission Member Catellier made a motion for favorable recommendation to the Maryland Commissioners for the expansion of 9062 Newbridge Drive, Bridgewood Estates contingent upon the presentation of a new plat showing the removal of the line separating the Lots. Commission Member Wilson seconded the motion which passed with 3 ayes and 1 absent.

### ***Adjournment***

Upon hearing no public comments, Commission Member Catellier made a motion for adjournment which was seconded by Commission Member Wilson and passed with 3 ayes and 1 absent.

Respectfully submitted,

*Cindy Fisher*  
*Clerk of Council*