

Planning & Zoning Commission Meeting
May 21, 2026
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 Jack Lenox, Vice Mayor Odell Jones Jr., Jonathan Layton, and Joshua Taylor. Key Personnel: Planning and Zoning Director Twain Evanson, Code Enforcement Officer Kayla Trice, and Clerk of Council Vondell Spencer. Guests: Christian Semette, Rodney Brown, Bill Diakos, and Sonia Diakos. Absent: Commission Member Shawn Johnson.

Call to Order:

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

Deputy Mayor Lenox said we are still for waiting Commission Member Taylor. A quorum was established.

Approval of Minutes –

A motion was made and seconded (Layton/Jones) to approve the April 23, 2026, meeting minutes as circulated. The motion was passed by a vote of 3 Ayes and 2 Absent (Johnson/Taylor).

Unfinished Business –

None.

New Business –

1. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation K – Lot 72, 38560 Winterberry Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is a Hazel on one side and a Spruce on the other. 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/Tupelo/Elevation K – Lot 72, 38560 Winterberry Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Jones/Layton) and carried by a vote of 3 Ayes 2 Absent (Johnson/Taylor).

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation K – Lot 76, 38550 Winterberry Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is a Spruce on one side and a Cedar on the other. 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/Tupelo/Elevation K – Lot 76, 38550 Winterberry Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Layton/Jones) and carried by a vote of 3 Ayes 2 Absent (Johnson/Taylor).

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 81, 38526 Winterberry Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is a Hazel on one side and open area to the right. 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 81, 38526 Winterberry Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Layton/Jones) and carried by a vote of 3 Ayes 2 Absent (Johnson/Taylor).

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation K – Lot 122, 11858 Yellowwood Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is vacant lot on one side and on the left a drainage easement. 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/Tupelo/Elevation K – Lot 122, 11858 Yellowwood Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Layton/Jones) and carried by a vote of 3 Ayes 2 Absent (Johnson/Taylor).

5. **Bill Diakos/Delmar Flex – New Commercial Office Building – 38347 Old Stage Rd., Delmar, DE** – Mr. Patrick Angell, owner of Angell Design, stated they did the design for the project. The drawings are for a commercial facility called Delmar Flex that Mr. Diakos has already by the storage units on the open lot. He further stated this facility is a 10,000 square foot flex facility because right now it's just a tenant fit out for potential tenants that come in there. He said that is shown on the plans is basically broken down into the five different potential spaces for tenants, about 2,100 plus square feet each. It's going to be more like a smaller complex for smaller contractors, not big, or anything just smaller for them.

Mr. Angell further said it's going to be flexible, so if someone comes in and wants two spaces, they can do that. Basically, at this point what he is going to do is just a shell. The outside is going to look like what was submitted and then the inside can be adjusted left or right of whatever depending on the tenant that Mr. Diakos gets to go in there.

Mr. Angell stated on the site plan there are 52 parking spaces which is what the code requires. There are loading zones in front of each of the garage doors that are not part of the parking that does not take away from parking in some of the floating and meeting places. Also, they could build up to the ground outside because they're going to dress up the building, and dress up the middle of the building just so it doesn't look like a metal building making it have some character and look nicer. The finishes will match the colors and everything that Mr. Diakos has in his existing storage facility to tie it together.

Mr. Angell further stated they can provide handicapped spaces. There are still handicapped spaces on site to accommodate them, and there is also a dumpster pad located on site. Deputy Mayor Lenox asked Mr. Angell how is utility access. Mr. Angell answered Mr. Diakos is already active. When it was originally put in there, there was sewer across the road and Mr. Diakos already has water. Planning and Zoning Director, Twain Evanson added it was zoned R4 and the zone changed to Community Business in 2020. He said the flex building is similar to the Contractor's Yard. Deputy Mayor Lenox further asked Mr. Angell if he was involved during the annexation. Mr. Angell further answered yes, they helped him with the storage building. It was just left open as is because they were planning on putting a building there so they had work for a potential building like what we are discussing. Mr. Diakos did not have it built at that point to make a decision on exactly what they were going to put there, what type of building due to restraints.

Mr. Angell stated when they did the stormwater for the storage room, that's where footage was included for all of that for the whole complex. Deputy Mayor Lenox asked Mr. Angell if the stormwater was for the whole complex. Mr. Angell answered yes. Deputy Mayor Lenox further asked Mr. Angell if he had any idea why this one lot is in town and the rest of it is out of town. Mr. Diakos answered that is how he bought it because he bought the lot first and then bought the back lot. Deputy Mayor Lenox asked Mr. Angell if he will get the final DelDot signoff. Mr. Angell answered yes.

Deputy Mayor Lenox asked Mr. Angell if there is anything else from the State of Delaware standpoint that this commission should be aware of. Mr. Angell answered they have to give their second review of the site. Deputy Mayor Lenox said if this commission moves forward with approval, it is important that they get the engineer review before they advance to the Mayor and Council or else the Mayor and Council will see it and put the same of conditions on and then they will be back again. Mr. Angell further answered no problem.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Bill Diakos/Delmar Flex – New Commercial Office Building – 38347 Old Stage Rd., Delmar, DE with conditional plan review by Davis, Bowen, and Friedel as well as the State of Delaware Department of Transportation. A motion was made/seconded (Layton/Jones) and carried by a vote of 3 Ayes 2 Absent (Johnson/Taylor).

Public Comments –

1. Christian Jennette commented and expressed his concerns with the flock cameras and their uses in Delmar. A very lengthy conversation occurred.
2. Mayor Bauer had questions about the Delmar Flex Building's plans and entrance.

Commission Comments -

The commission had no comments.

Adjournment –

Deputy Mayor Lenox called for a motion to adjourn the meeting. The motion was made/seconded (Taylor/Jones) and carried by a vote of 4 Ayes 1 Absent (Johnson).

Submitted by:

Vondell Spencer, CMC
Municipal Clerk