

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING AGENDA**

Meeting Date: Wednesday, July 23, 2014
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 6:45 P.M. Public Hearing
7:00 P.M. Regular Meeting

6:45 P.M. Public Hearing - Conditional Use Application - CASE #2014- 07
An application by the Fred Tana, for Conditional Use approval to allow two residential rental units behind a single family residential structure. The property is located at 602 North Bedford Street, identified as Sussex County Tax District 135 Map 14.00 Parcel 174.00 zoned UR1 (Urban Residential).

7:00 P.M. Regular Meeting

1. Pledge of Allegiance
2. Invocation
3. Adoption of Agenda
4. Approval of June 25, 2014 Town Council Meeting Minutes
5. Bid Award – Gravity Sewer Extension Old Laurel Road
6. Village of College Park – Request for a 1 Year Extension
7. Introduction of Proposed Zoning Amendment – M & R Properties, LLC – Case #2014-10
8. Board of Adjustment Appointment
9. 1st Reading of Ordinances
A. Ordinance #2014-7 Hotel & Motel Code
10. Proposed Redesign of the Town’s Flag
11. Departmental Reports
A. Gene Dvornick – Town Manager
12. Public Comment
13. Executive Session
Town Council will meet in Executive Session to discuss pending litigation.
14. Adjournment

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. Persons with disabilities requiring special accommodations to attend this meeting should contact the Town Office in writing 72 hours in advance of the meeting, stating their needs in order to have them addressed under the requirements of the Americans with Disabilities Act (ADA).

TOWN COUNCIL PUBLIC HEARING
INFORMATION SHEET

ITEM: Conditional Use Application – Fred Tana – Case #2014-07

ITEM NO: N/A

DATE: July 23, 2014

PRESENTER: Fred Tana

DESCRIPTION: An application by Fred Tana for a Conditional Use to allow two residential rental units behind a single family residential structure located at 602 N Bedford Street. The properties are identified as Sussex County Tax District 135 Map 14.00 Parcel 174.00 and are currently zoned (UR1) Urban Residential.

BACKGROUND: The public hearing will allow for public comment and any questions that the Council or the public has regarding the application.

Attachments:

- 1) Application
- 2) Real Estate Listing
- 3) Mr Tana's letter to the Planning Commission
- 4) Site drawing
- 5) Letters in support
- 6) Letters in opposition
- 7) Planning Commission draft minutes
- 8) Design Plans

**Please return all information for future
meetings.**



Town of Georgetown Review Application

#1

Check Type of Review Requested	Copies
Category II Plan Review	5
Category I Site Plan - Conceptual	11
Category I Site Plan - Preliminary	11
Category I Site Plan - Final	8
✓ Conditional Use	18
Historic Review	8
Subdivision/RPC Review - Conceptual	11
Subdivision/RPC Review - Preliminary	18
Subdivision/RPC Review - Final	18
Utility Review	2
Zoning Amendment	18
Other:	

All packages to include number of copies shown:

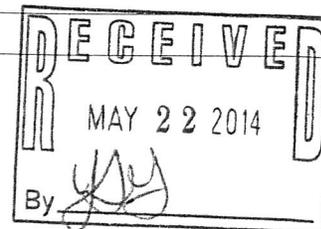
- Review Application
- Plans / Prints
- Supportive Materials
- One PDF of Site Plan

Note: One 11 x 17 copy of complete site plan to be provided with application packages.

Property Information	
Sussex County Tax Map/Parcel:	1-35 14.00 174.00 9/14
Project Location:	602 North Bedford ST.
Property Size/Dimension:	2 AC - 510.88 X 149+
Project Title/Name:	602 North Bedford ST Apt. 1 + 2
Current Zoning District:	UR 1
Proposed Zoning (if applicable):	UR 1
Current Property Use:	Apt 1 + 2 Dwelling
Proposed Property Use:	Rental Apt 1 + 2

Current Property Owner Information	
Current Owner Name:	Fred + Doris + Kenneth Dawson
Phone Number:	302-845-4800 / 853-0395 / 344-2898
Fax Number:	302-644-1980
Email Address:	CR1DAW@yahoo.
Mailing Address:	21455 Fox Run Rd
City, State, Zip Code:	Georgetown, Del. 19958

Engineer / Surveyor Information	
Company Name:	Rich Evans Design INC
Contact Name:	Rich Evans
Phone Number:	875-1030
Fax Number:	
Email Address:	
Mailing Address:	
City, State, Zip Code:	



Developer Information	
Company Name:	
Contact Name:	<i>James AS owner's</i>
Phone Number:	
Fax Number:	
Email Address:	
Mailing Address:	
City, State, Zip Code:	

Designated Primary Contact	
Contact Name:	<i>FRED TANA / Chris Dawson</i>
Phone Number:	<i>945-4800 - 853-0395 / 344-2898</i>
Fax Number:	
Email Address:	
Mailing Address:	<i>21455 Fox Run Rd</i>
City, State, Zip Code:	<i>Lewis, Delc 19958</i>

Please read and certify the following:

1. I have supplied all the information listed on this form and that statements contained in any papers or plans submitted as part of this application are true and correct.
2. This project was designed in accordance with the plan requirements in the Comprehensive Plan, Zoning Code, Design Standards as well as the Construction Standards for the Town of Georgetown.
3. I, or an agent on my behalf, will attend all public hearings/meetings necessary for this project in order to answer any questions to the best of my ability in respect to the present and future needs, health, safety, morals, convenience, order, prosperity and general welfare of the inhabitants of Georgetown.
4. I understand that any incomplete applications will not move forward in the review process and I will be notified in writing after a thorough review has been completed by the Planning Department.
5. It is understood that the Planning Department processes all applications in the order in which they were received. Each application will continue in the process once eligibility and the appropriate reviews have been completed.
6. I understand that only the designated primary contact listed on this application will receive any and all review comments, meeting information and correspondence to and from the Town of Georgetown.
7. I understand that the Engineer will be billed for the professional services rendered from the Town Engineer and/or the Town Solicitor, as required for my application, unless I notify the Town Planning Department in writing advising otherwise.

[Signature] *[Signature]*

Signatures	
Designated Primary Contact	
Developer	
All Current Property Owners	
Parcel -	
Parcel -	
Parcel -	

OFFICE USE ONLY			
Date Received: _____	Received by: _____	Amount: \$ _____	Cash/Check #: _____

OCT. 11TH 2013

© SCAOR. Not for public distribution.

#2

Single Family
609014 Closed

602 N BEDFORD STREET Unit:0
GEORGETOWN, DE 19947

L\$219,500
S\$219,500



MLS Area: Georgetow n Hundred
County: Sussex
Community:
Building:
of Stories: 2
New Const: No
Waterfront: None
Blocks to Ocean:
Dwelling SQFT: 2,800
Historic Dist: No
Lot Size-Sqft:
Lot Size-Acres: 10.00

Section: Betw een Rt. 1 & 113
School Dist: Indian River
Bedrooms: 4
Full Baths: 2
Half Baths: 1
Yr. Built: 1940
Waterview: None
Furnished: No
Rental: No
Public Road:
Lot Dim:
Showing Instructions

Previous | Next

Remarks: Sale of parcel 174 PLUS a 21-lot approved subdivision for a total of 10+/- acres in all. The house is a roomy 4BR, 2.5BA farmhouse; the 2-car detached garage has an efficiency plus a 1BR apt. With a little TLC, this property can be ready to move in & earn some income. Or, develop the subdivision!

Style: Farm House
Ext. Type: Aluminum Siding
Foundation: Concrete Block
Basement: Craw l Space
Garage: Detached
Driveway: Crushed/Stone , Dirt , Gravel
Porch/Deck:
Interior: Fireplace-Wood , Fixed Attic Stairs
Appliances:
Kitchen: Country Kitchen
Flooring: Carpet , Vinyl
Fireplace: Wood Burning
Cooling: Central A/C
Pool: Above Ground
Disclosures: Exempt from S.D./R.P.C.
Financing: Cash , Conventional
Docs on file: Plat Map
Comm. Amenities:
Could Be Sold As: Lots and Land
Const.: Stick/Frame
Ext. Feat: Kennel , Pool-Above Ground , Storage Shed/Outbuilding
Roofing: Asphalt Shingle
Attic: Floored
Garage Size: 2
Parking: Driveway/Off Street , Garage
Security:
Oth Rms: Den/Study/Library , Formal Dining Room , Laundry/Utility Rm 1st Fl
Extra Unit: 1 Bedroom , 1st Floor , 2nd Floor Efficiency , Detached , Garage Apartment
Heating: Forced Air , Oil
Lot Desc: Irregular Shape
Sewer: Public Central Sewer
Water: Public Central Water
Exclusions:

Room	Level	Dimensions	Room	Level	Dimensions
Living	F		Master BR	2	
Dining	F		Bedroom 2	2	
Kitchen	F		Bedroom 3	2	
Family	F		Bedroom 4	2	
Other	F				

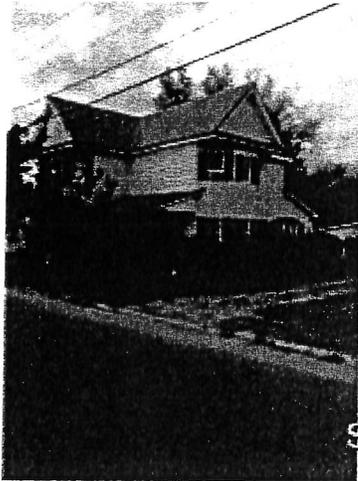
F = First floor L = Lower floor

Taxes & Fees are Annual Amounts
City Tax: \$ Rent Inc: \$ Flood Ins. Avail:
County Tax: \$374 Water Fee: \$ Sewer Fee: \$ Dock Type: City Limits: Yes
Trash Fee: \$ HOA Fee: \$ Condo Fee: \$ Ground Rent: \$ Ground Rent Yrs:
Zoning: Town Codes Ownership: Fee Simple Condo Own: No

List Agt: ED LESTER Agent#: 156001 List Off: LESTER REALTY INC.
Office Ph: (302) 856-4000 Appt. Ph.: (302) 856-4000 Firm/Office: LES156/0
Email: ed.lester@verizon.net Cell: (302) 745-1500 Office Ph/Fax: (302) 856-4000 / (302) 856-9703
Alt. Agt: ED LESTER Alt. Agt Cell: (302) 745-1500

Tax Dist: 135 Tax Map: 14 Tax Parcel: 174 Tax Unit #: 0
Pend. Parcel #: Internal List #: 415 Var. Rate Com: No Owner: Artisans Bk
Lockbox: Sentrilock Seller Contr: \$0 Pend. Subdiv:
Showing Inst: Call Before Showing , Lockbox Contract Info:
Listing Date: 11/18/2013 Act. W/Kick Date: Contract Date: 12/09/2013 Settlement Date: 12/20/2013
Sub Agent: No Sub Agt Amt: Sub Agt %:
Buyer Brk: Yes Buyer Brk Amt: Buyer Brk %: 2.5 Sub Agt Bonus:
Short Sale: No Bank Notified: No Addndm Acquired: No Buyer Brk Bonus:
Listing Type: Exclusive Right to Sell Listing Sub Type: N/A Financing: Owner Seller Disclosure: Yes

Photo Gallery MLS# 609014
602 N BEDFORD STREET Unit:0
GEORGETOWN, DE 19947



SCAOR



SCAOR



SCAOR



SCAOR

All room dimensions and other measurements are approximate. All information is deemed reliable but not guaranteed.
Prospective purchasers should verify the information to their own satisfaction. Information provided by the
Sussex County Association of Realtors Multiple Listing Service.

Printed on 04/30/2014 at 10:25 AM

#3

602 North Bedford st. Georgetown DE.

To: planning and zoning review board

We the property owners of 602 north Bedford street are applying for a conditional use. The property was purchased by us in December 2013 as an investment, as we already have several in the town limits of Georgetown. When purchased it was to are knowledge that we were buying a three rental income property (main house with a one bedroom and efficiency apartment, located behind main house). During the process of trying to retrieve the proper permits required by Georgetown. It was brought to are attention that its was never approved for the usage that it was being used for prior to purchase. Now we are trying to take the proper steps in order to resolve the situation.

The area where the property is located exist of several business and residential properties. There will be minimal impact to surrounding properties, as we have already contacted theses land and business owner and informed them of are intentions. We also felt that there was a need for major clean up of the property mention to help make it presentable, and not such an eyesore for surrounding business and home owners. There will be plenty of available parking for the purposed conditional use, The area will also have sufficient lighting for tenants occupying rental property. With new business coming to Georgetown, it we also help provide clean affordable housing for to those searching.

Thank you for your consideration,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

#4

RECEIVED
JUN 03 2014

(4) 10' x 30' PARKING SPACES

(2) 10' x 30' PARKING SPACES

1-35-14-93.00
N/F EVELYN PANUSKA
395/570
ZONED UR1

NORTH BEDFORD STREET
(60' WIDE)

DRAINAGE EASEMENT
(WIDTH VARIES)

20' WIDE DRAINAGE EASEMENT

EXIST. 2 1/2-STORY
FRAME BLDG.
N 35° 28' 24" W
55.84'

EXIST. 2-STORY
FRAME BLDG.

GRAVEL

EXIST. DRIVE

36' R.O.W.
DEDICATION
TO TOWN OF
GEORGETOWN

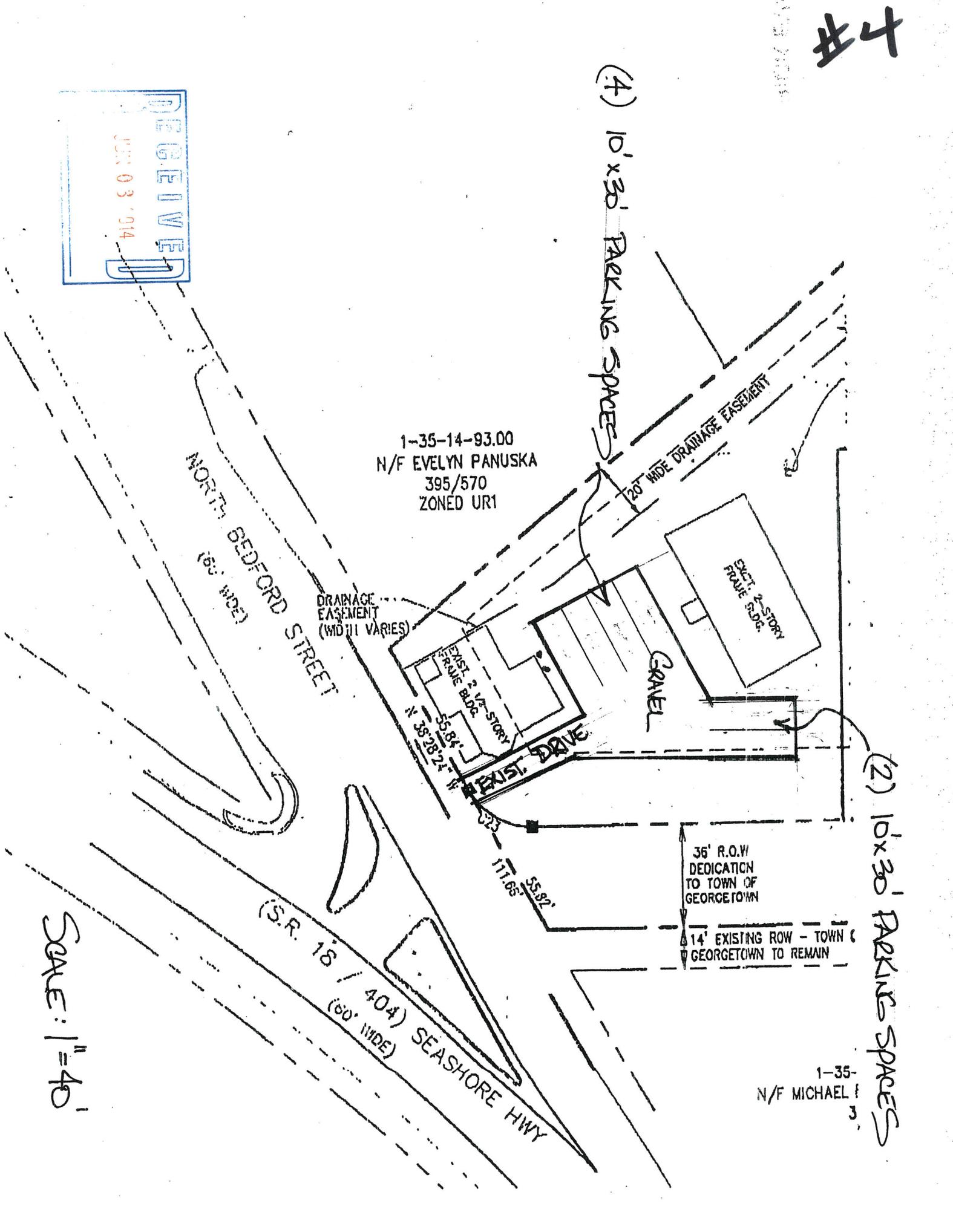
14' EXISTING ROW - TOWN OF
GEORGETOWN TO REMAIN

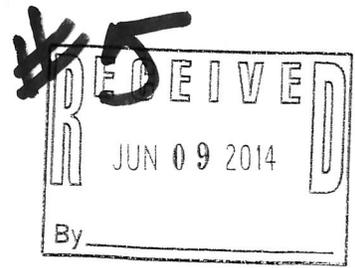
117.68' 55.82'

(S.R. 18 / 404) SEASHORE HWY
(60' WIDE)

1-35-
N/F MICHAEL F

SCALE: 1" = 40'





June 3, 2014

Town of Georgetown
39 The Circle
Georgetown, DE 19947

RE: Fred Tana
602 North Bedford St.

To Whom It May Concern:

I am the owner of rental properties at 107, 109, 111, 111-A North Bedford Street. I am familiar with the property Mr. Tana is attempting to license and lease.

As a rental property owner, lessor, and long-standing member of the business community, I have no objection to what Mr. Tana is trying to accomplish with improving this property and leasing it out. There is presently a high demand for rental properties in this area. In fact, Mr. Tana is improving the property to a condition well above the condition of the adjacent property, which is certainly an improvement for the neighborhood and the Town of Georgetown as a whole.

If you would like further feedback from me regarding Mr. Tana's proposed change of use, please do not hesitate to give me a call.

Sincerely,

Ed Wester
Broker, G.R.I.
GREEN

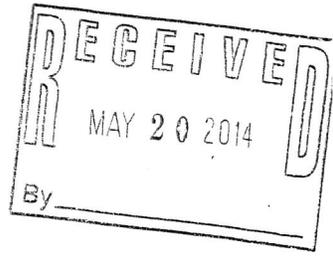
CEL/sat



Terry Megee

President

302-856-0064, ex 226 • Fax: 302-856-3749 • Cell: 302-745-6320
www.megeemotors.com • terrymegee@hotmail.com
515 N. Bedford St. • P.O. Box 330 • Georgetown, DE 19947



May 16, 2014

To Whom It May Concern,

RE: A to Z Builders re-zoning request

I support the zoning requested by A to Z builders for the property across from my dealership on N. Bedford St. He is doing a nice job beautifying our town, one house at a time.

Sincerely,

Terry A Megee

Owner

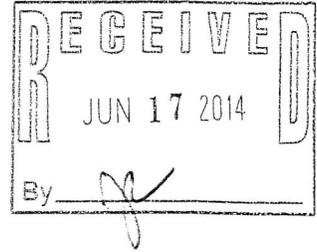
Megee Motors

PO Box 330

Georgetown, DE. 19947

302-745-6320

June 12, 2014



To the Town of Georgetown,

As an owner of the property next door, I have no objection to Fred Tanna putting an apartment in the upstairs back garage at 602 North Bedford Street. I have known it to be an apartment for a number of years and am not in objection to it continuing to be an apartment style residence.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael R. Wyatt", written over a horizontal line.

Michael R. Wyatt
Property owner, 522 North Bedford Street

6

HALLER & HUDSON
Attorneys at Law
101 S. Bedford St., P.O. Box 533
Georgetown, DE 19947
Telephone: 302-856-4525 Fax: 302-856-4531

June 16, 2014

Town of Georgetown
Planning Department
Attn: J. Craddock
39 The Circle
Georgetown, DE 19947

RE: Case #2014-07
Conditional Use Application

Dear Members of the Planning Commission:

Please accept this letter as our objection to granting the above captioned conditional use application.

I am writing on behalf of Hilda M. Hudson, Susan Hudson, and myself, Howard W. Hudson, Jr. who collectively own 8 Bridgeville Road, 10 Bridgeville Road, 12 Bridgeville Road, and 615 North Bedford Street. Hilda Hudson is 99 years old and travels infrequently. Our daughter-in-law is currently hospitalized in Salisbury, MD. These circumstances make it practically impossible to attend the meeting in person.

Our reasons for objecting are as follows:

1. Traffic. The entrance to this property is at the intersection of N. Bedford Street and Bridgeville Road. When exiting the property in question and also the property served by the dirt road directly to the south, vehicles exit via the turn lane from Bridgeville Road east bound onto Bedford Street the wrong way. On occasion they have been observed going south out the single lane north bound from Bedford Street. No one proceeds north and does a U-turn. With multiple rental units and additional vehicles this problem will increase.

2. Property Value. It seems as though once a property is rented in a residential neighborhood it changes the character of the neighborhood so that only the current owner-occupiers stay. Thereafter when properties go on the market they are then purchased by absentee landlords for rental purposes. A rental complex behind a single

HALLER & HUDSON
Attorneys at Law
101 S. Bedford St., P.O. Box 533
Georgetown, DE 19947
Telephone: 302-856-4525 Fax: 302-856-4531

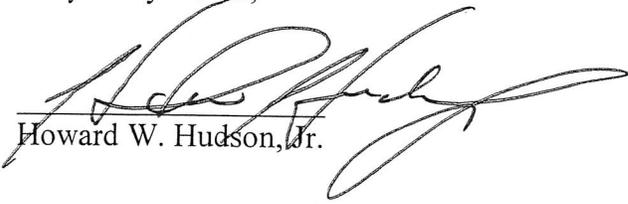
family residential structure such as is being proposed will have the effect of lowering property values for the area as a whole.

3. Code Enforcement. It is obvious that the town has trouble enforcing rules for rental properties. Numerous problematic cars, noise, pet chickens, and barking from unattended dogs all are visible throughout town. To have three rentals on a single property will certainly complicate this problem and cause a lessening of property values in the area.

In short, we oppose the conditional use application and argue that the only one who will profit from this is the applicant who is trying to squeeze three rental units onto the single residential property to the detriment of the neighborhood.

Thank you for your consideration.

Very Truly Yours,


Howard W. Hudson, Jr.

219 Ashford Drive
Douglassville, PA 19518
June 6, 2014

Planning Department
39 The Circle
Georgetown, DE 19947

Dear Planning Department:

Thank you for considering neighbors' input regarding the Conditional Use Application at 602 North Bedford Street.

I purchased my home because of Georgetown's small town ambiance. With gracious homes, wide porches and inviting yards it seemed as if it still retained the characteristics that I remember from years past when my parents visited friends in Georgetown. It has the feel of a town where walking to the square to grab a bite to eat, visit the library or find a treasure in the antique store is still an option.

The Conditional Use Application permanently changes that domicile potentially forever. Other requests may follow for the same consideration. Might I courteously question, "Isn't it a wiser path to require subdivision of said property for the purpose of rental property development?" Perhaps The Town would short change itself, and the tax payers, by allowing dwellings to be erected without a subdivision as opposed to requiring a subdivision of the lot thereby increasing the tax base.

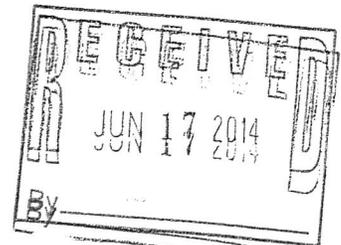
I realize that some people prefer to be tenants and others simply can not afford to purchase a home. But, is there a need for more rental properties? Are all of the available units rented?

I place my trust with the planners of The Town to have the foresight to consider the long term consequences of their decision, and further that they will take everything into consideration and plan for the long term viability of the community.

Respectfully submitted,



Ann Preston
614 North Bedford Street



Commissioner Painter asked why the applicant didn't think a permit was needed to do the work done to the house and for the changes to make three residential units. The applicant stated that when the houses were bought they just got the licenses to rent, there were no inspections.

The applicant stated they cleaned the house out, the apartment was already in the garage, and the downstairs of the garage had to be structurally repaired. The apartment had been rented for years, supposedly since 1994.

Commissioner Painter pointed out that there is an impact on the community as far as the facilities.

Commissioner Johnson confirmed the zoning of the property is UR1, the building lots are UR1. The majority of the surrounding properties are UR1. Commissioner Ricker expressed the difficulty in permitting this use as a conditional use.

Commissioner Ricker shared clarification that a previous application had been turned down for an apartment over a garage for a property owner's son, due to the Town's regulations.

Commissioner Greenberg stated that the residential should stay residential. The surrounding businesses are not intrusive.

Commission Chair Tonge opened the public hearing for comment, either in favor or in opposition of the application. No one was in attendance either for or against the application. Mrs. Godwin confirmed there were letters received and placed in the Commissioner's packets, both for and against. Commissioner Chair Tonge then closed the public hearing.

Commissioner Ricker moved, seconded by Commissioner Greenberg, to recommend denial to the Town Council of the application as the property is not in compliance with the Zoning Code §230-231 and §230-234. Poll vote:

Commissioner Painter – Deny, while the property looks very nice, the use is denied.

Commissioner Johnson – Deny, only a guest house or service quarters are permitted as accessory use.

Commissioner Ricker – Deny, under the grounds of §230-231 the request does not meet the intent of a Conditional Use.

Commissioner Greenberg – Deny, of Case 2014-07, based on the zoning.

Commission Chair Tonge – Deny, for the previously stated reasons.

APPROVED (UNANIMOUS)

TOWN OF GEORGETOWN MEMORANDUM

DATE: WEDNESDAY, JULY 23, 2014
TO: MAYOR AND COUNCIL
RE: BID AWARD - GRAVITY SEWER EXTENSION OLD LAUREL ROAD

On June 27, 2014 an Invitation to Bid (see attached) was posted. The bid opening took place on July 14, 2014 at 3:00pm.

The following bids were received:

- A.P. Croll & Son \$79,665.00
- UtiliSite, Inc. \$74,800.00
- Melvin L Joseph \$60,299.00

The apparent low bidder is Melvin L. Joseph Construction, Co.

A recommendation from Bill Bradley, Director of Public Works and Jeff Ward, Construction Coordinator is to award the bid to Melvin L Joseph Construction, Co.

TOWN OF GEORGETOWN

39 The Circle

Georgetown, DE 19947

Notice of Invitation to Bid

Notice is hereby given that sealed bids, in duplicate, will be received by the Town of Georgetown from a qualified firm for the abandonment of existing pump station, installation of new sanitary sewer main and manhole. Proposals will be received at the Town Hall, until 3:00 p.m. (EST) on **Monday, July 14, 2014**. At said time the proposals will be opened publicly.

It is strongly recommended that interested bidders visit the above mentioned street prior to submitting bids. Arrangements for a site visit can be made by calling Jeff Ward, Construction Coordinator, at 302-448-0542.

The right is reserved as the interest of the Town of Georgetown may appear, to reject any and all proposals, to waive any informality or irregularity in proposals received and to accept or reject any items of the proposal.

Bids must be made in accordance with the Invitation to Bid which is attached and made part of this notice.

Sincerely,

Jeff Ward

Jeff Ward

Construction Coordinator

Invitation to Bid

Sealed bids will be accepted by the Town of Georgetown, 39 The Circle, Georgetown, DE 19947 until 3:00 p.m. (EST) on Monday, July 14, 2014.

Bids will be opened publicly.

Work includes abandonment of existing pump station, installation of new sanitary sewer main and manhole of the following:

Gravity Sewer Extension Old Laurel Rd –

Description of work to include as follows:

1. Abandon pump station.
2. Abandon force main.
3. Install 323' +/- of 8" SDR35 sanitary sewer main.
4. Install approved sanitary sewer manhole.
5. Connect force main from Georgetown Plaza to new proposed sanitary sewer manhole.
6. Core drill and connect to existing sanitary sewer manhole. Grouting of new pipe shall be via Link Seal or Town approved sand collar. Connection shall be watertight.
7. All manholes in unpaved areas to have 7'x7' collar.
8. Work to begin within thirty (30) days after contract is awarded.

All work is to be per plan and the Town of Georgetown Design and Construction Standards for Water, Sewer and Streets latest edition.

The bidder agrees that this bid shall be good thru October 31, 2014 and may not be withdrawn after the scheduled closing time for receiving bids.

Contact William J Bradley (302) 856-6045 or Jeff Ward (302) 856 -7391 for any information pertaining to specifications of contract.

Sincerely,

Jeff Ward

Jeff Ward

Construction Coordinator

<u>Contractor</u>	<u>Gravity Sewer Extension Old Landing Road</u>	<u>Notes</u>
A P Croll	\$79,665.00	
Utilisite, Inc	\$74,800.00	
Melvin L Joseph	\$60,299.00	

TOWN COUNCIL
AGENDA ITEM INFORMATION SHEET

ITEM: Village of College Park – Request for a 1 year extension

ITEM NO: 6

DATE: July 23, 2014

DESCRIPTION: Asking for a 1 yr extension due to delays associated with offsite sewer issues, struggling economy, and the depressed housing market.

See attached letter.

SUSSEX ENTERTAINMENT ENTERPRISES LLC

Mr. Eugene Dvornick, Jr.
Town Manager
Town of Georgetown
39 The Circle
Georgetown, DE 19947

July 14, 2014

Re: Village of College Park

Dear Mr. Dvornick,

In regards to the above referenced project, we hereby formally request a 12 month extension for the previously approved Concept Plan. The Concept Plan was originally approved by the Town of Georgetown Town Council on July 14, 2010. This project was also granted a one year approval extension for the approved Concept Plan on May 8, 2011 by the Planning Commission and further one year extensions were approved in April 2012 and on July 24, 2013. Morris and Ritchie Associates, Inc. (MRA) has since prepared the preliminary plans and officially submitted the same to the Town on November 2, 2011. The review of these plans had been put on hold by the Town pending the resolution of the offsite sanitary sewer issues. As you know, an overall master utility plan has been prepared by the Becker Morgan Group and the Town has just approved the drawings for the sanitary sewer and pump station. Due to this significant progress over the last year (including the development of the retail site), we are now continuing with further developing these residential plans which are the next phase of this master planned community. Currently our and the Town's engineering firms are in discussions regarding the residential project (primarily storm water management calculations) and finalization of the access road to this part of the project.

As you are aware, a significant amount of time was spent resolving the changes to the sewer infrastructure to all parties' satisfaction and Sussex Entertainment Enterprises' site contractor will begin installation of this regional pump station and sanitary sewer within the next 90 days. Due to the significant amount of time associated with approval of the offsite sewer/pump station, the struggling economy and the depressed housing market which are just now beginning to improve, we respectfully request a one year extension for the project's Concept Plan. If approved, the one year period would run from July 24, 2014 to July 24, 2015.

Should you have any questions or comments regarding this issue, please feel free to contact me.

Very Truly Yours,
SUSSEX ENTERTAINMENT ENTERPRISES

Dean Pletz

Dean Pletz
Vice President of Real Estate

Cc: Constantine Malmberg III, Esq. – Sussex Entertainment, LLC
Stephen S. Silver
Ronald E. Schafer

TOWN COUNCIL
AGENDA ITEM INFORMATION SHEET

ITEM: Introduction of Proposed Zoning Amendment – M & R Properties, LLC – Case #2014-10

ITEM NO: 7

DATE: July 23, 2014

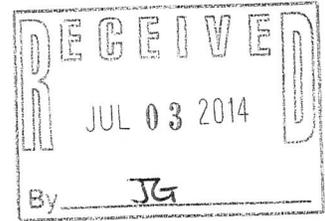
DESCRIPTION: A zoning application by Adams-Kemp representing M & R Properties, Inc, from UR2 (Medium Residential) to UB3 (Professional Business) zoning district for the property identified as Sussex County Tax Map 135-19.08-89.00. The property is located at 126 West Market Street. The proposed property use – Law Office Annex.

If Council is agreeable with moving forward with the zoning amendment, the application should be forwarded on to the Planning Commission for review and comment at their August meeting, followed by a Public Hearing before Town Council at the August 27th Meeting.

Please return this information packet for future meetings.



Town of Georgetown Review Application



	Check Type of Review Requested	Copies
	Category II Plan Review	5
	Category I Site Plan - Conceptual	11
	Category I Site Plan - Preliminary	11
	Category I Site Plan - Final	8
	Conditional Use	18
	Historic Review	8
	Subdivision/RPC Review - Conceptual	11
	Subdivision/RPC Review - Preliminary	18
	Subdivision/RPC Review - Final	18
	Utility Review	2
✓	Zoning Amendment	18
	Other:	

All packages to include number of copies shown:

- Review Application
- Plans / Prints
- Supportive Materials
- One PDF of Site Plan

Note: One 11 x 17 copy of complete site plan to be provided with application packages.

Property Information	
Sussex County Tax Map/Parcel:	1-35-19.08-89.00
Project Location:	126 WEST MARKET ST, GTWN, DE
Property Size/Dimension:	60' X 251.85'
Project Title/Name:	MAR PROPERTIES, LLC
Current Zoning District:	UR 2
Proposed Zoning (if applicable):	UB 3
Current Property Use:	SINGLE FAMILY
Proposed Property Use:	LAW OFFICE ANNEX

Current Property Owner Information	
Current Owner Name:	SANDRA ALBRIGHT
Phone Number:	C: 302-344-6539 H: 302-858-4241
Fax Number:	
Email Address:	
Mailing Address:	808 E. Market St
City, State, Zip Code:	GEORGETOWN, DE 19947

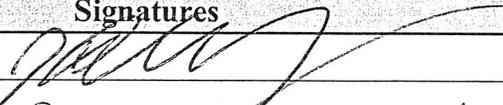
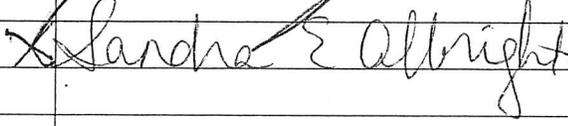
Engineer / Surveyor Information	
Company Name:	ADAMS-KEMP
Contact Name:	CHUCK ADAMS
Phone Number:	302-856-6699
Fax Number:	
Email Address:	
Mailing Address:	
City, State, Zip Code:	GEORGETOWN, DE

Developer Information	
Company Name:	
Contact Name:	
Phone Number:	
Fax Number:	
Email Address:	
Mailing Address:	
City, State, Zip Code:	

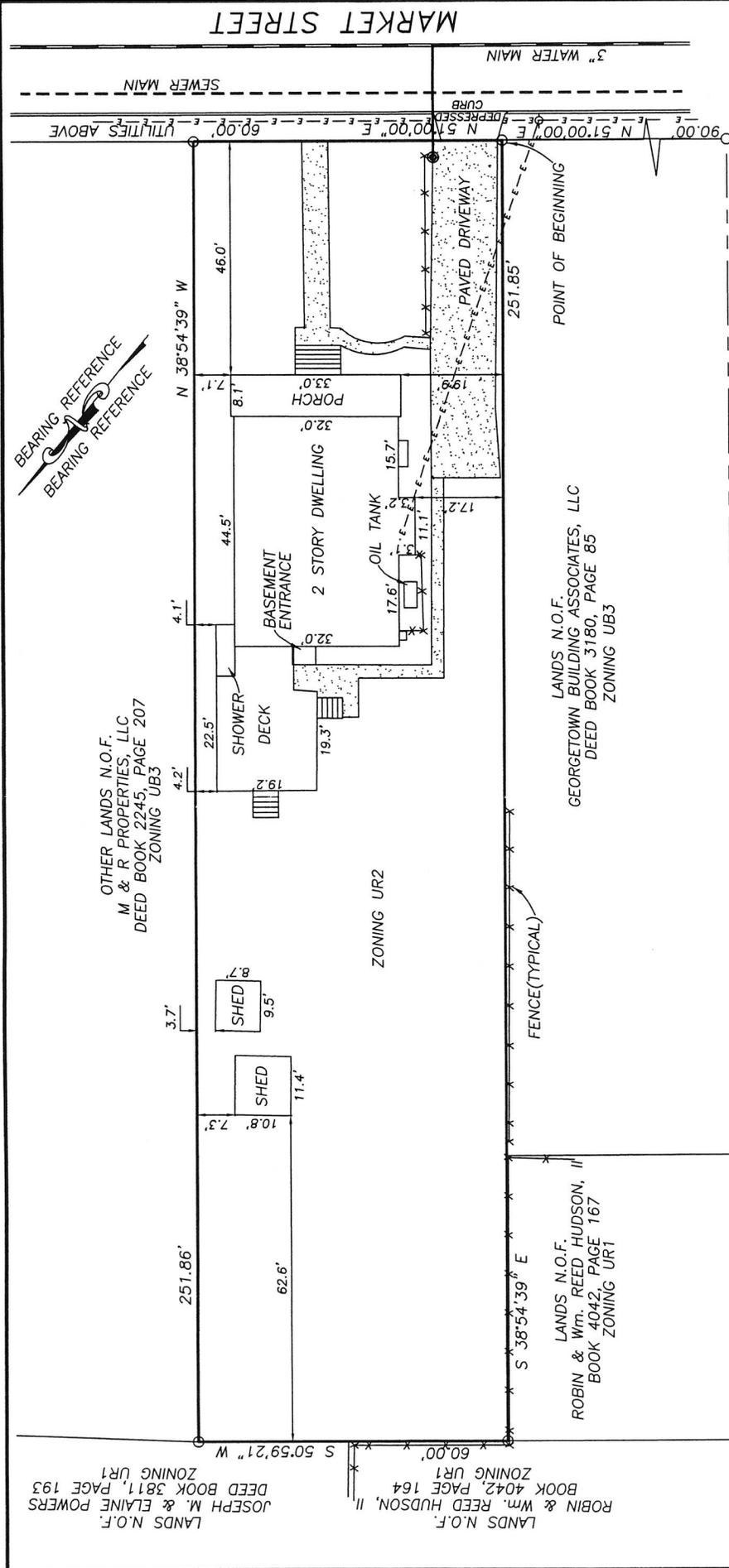
Designated Primary Contact	
Contact Name:	J. EVANS MOORE JR
Phone Number:	302-856-9568
Fax Number:	302-855-9846
Email Address:	jemoore@mooreandrott.com
Mailing Address:	PO BOX 554
City, State, Zip Code:	GEORGETOWN DE 19947

Please read and certify the following:

1. I have supplied all the information listed on this form and that statements contained in any papers or plans submitted as part of this application are true and correct.
2. This project was designed in accordance with the plan requirements in the Comprehensive Plan, Zoning Code, Design Standards as well as the Construction Standards for the Town of Georgetown.
3. I, or an agent on my behalf, will attend all public hearings/meetings necessary for this project in order to answer any questions to the best of my ability in respect to the present and future needs, health, safety, morals, convenience, order, prosperity and general welfare of the inhabitants of Georgetown.
4. I understand that any incomplete applications will not move forward in the review process and I will be notified in writing after a thorough review has been completed by the Planning Department.
5. It is understood that the Planning Department processes all applications in the order in which they were received. Each application will continue in the process once eligibility and the appropriate reviews have been completed.
6. I understand that only the designated primary contact listed on this application will receive any and all review comments, meeting information and correspondence to and from the Town of Georgetown.
7. I understand that the Engineer will be billed for the professional services rendered from the Town Engineer and/or the Town Solicitor, as required for my application, unless I notify the Town Planning Department in writing advising otherwise.

Signatures	
Designated Primary Contact	
Developer	
All Current Property Owners	
Parcel -	
Parcel -	
Parcel -	

OFFICE USE ONLY			
Date Received: _____	Received by: _____	Amount: \$ _____	Cash/Check #: _____



**ROBINSON STREET
BOUNDARY SURVEY PLAN**

PREPARED FOR
M & R PROPERTIES, L.L.C.
FOR PROPERTY KNOWN AS
126 WEST MARKET STREET
SITUATED IN
TOWN OF GEORGETOWN, GEORGETOWN
SUSSEX COUNTY, STATE OF DELAWARE
AREA: 15,111± SQUARE FEET
SCALE: 1" = 20'
DATE: APRIL 22, 2014

- LEGEND:**
- FOUND IRON PIPE
 - E—E— OVERHEAD UTILITIES
 - ⊙ CLEAN OUT
 - ⊖ UTILITY POLE

- NOTES:**
- 1) CLASS "B", SUBURBAN SURVEY
 - 2) SOURCE OF TITLE: DEED BOOK 1632, PAGE 229
 - 3) A TITLE SEARCH WAS NEITHER REQUESTED, PROVIDED OR UTILIZED FOR THIS SURVEY

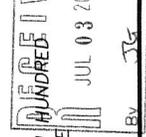
Prepared By
ADAMS-KEMP ASSOCIATES, INC. ♦
PROFESSIONAL LAND SURVEYORS
AND PLANNERS
217 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699
WWW.ADAMSKEMP.COM

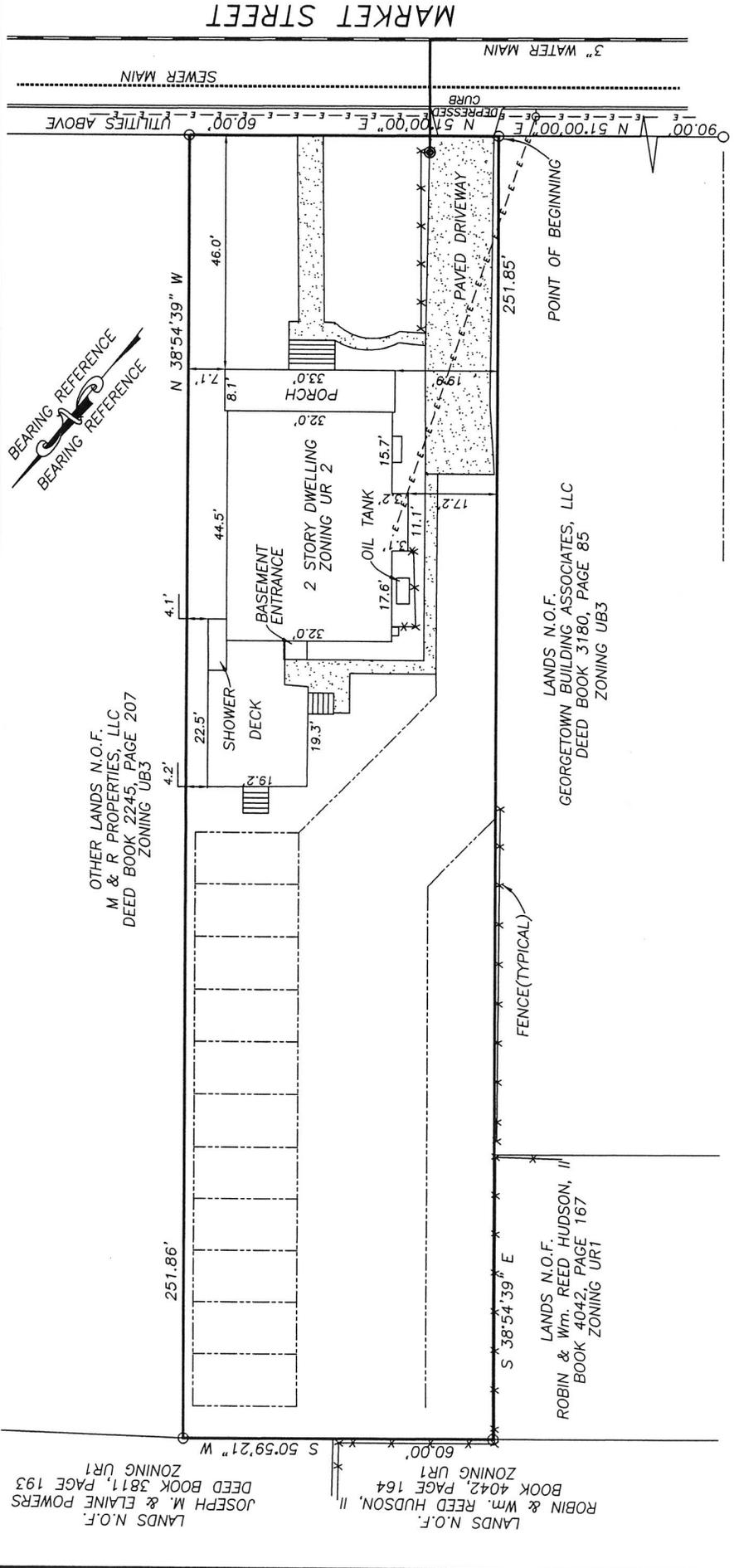
Charles E. Adams, Jr.
CHARLES E. ADAMS, JR., P.L.S. 506

LANDS N.O.F.
ROBIN & Wm. REED HUDSON, II
BOOK 4042, PAGE 167
ZONING UR1

LANDS N.O.F.
GEORGETOWN BUILDING ASSOCIATES, LLC
DEED BOOK 3180, PAGE 85
ZONING UB3

OTHER LANDS N.O.F.
M & R PROPERTIES, LLC
DEED BOOK 2245, PAGE 207
ZONING UB3





**ROBINSON STREET
BOUNDARY SURVEY PLAN**

PREPARED FOR
M & R PROPERTIES, L.L.C.
FOR PROPERTY KNOWN AS
126 WEST MARKET STREET
SITUATED IN
TOWN OF GEORGETOWN, GEORGETOWN
SUSSEX COUNTY, STATE OF DELAWARE
AREA: 15,111± SQUARE FEET
SCALE: 1" = 20'
DATE: APRIL 22, 2014



LEGEND:

- FOUND IRON PIPE
- E—E— OVERHEAD UTILITIES
- ⊙ CLEAN OUT
- ⊙ UTILITY POLE

NOTES:

- 1) CLASS "B", SUBURBAN SURVEY
- 2) SOURCE OF TITLE: DEED BOOK 1632, PAGE 229
- 3) A TITLE SEARCH WAS NEITHER REQUESTED, PROVIDED OR UTILIZED FOR THIS SURVEY

Prepared By
ADAMS-KEMP ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
AND PLANNERS
217 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6689
WWW.ADAMSKEMP.COM

Charles E. Adams, Jr.
CHARLES E. ADAMS, JR., P.L.S. 506

TOWN COUNCIL
AGENDA ITEM INFORMATION SHEET

ITEM: Board of Adjustment Appointment

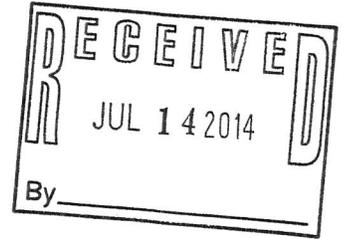
ITEM NO: 8

DATE: July 23, 2014

BACKGROUND: One seat is currently up for appointment, due to the resignation of Bill Lecates. This term expires June 2016.

The vacancy was advertised in the Sussex Countian, the Town's website, and posted in Town Hall.

Attached is one Letter of Interest from Shirley Hitchens.



July 11, 2014

Town of Georgetown
Planning Department
39 The Circle
Georgetown, DE 19947

I would be interested in serving on the Board of Adjustments. I served in this position many years ago. I think we have some excellent elected officials on board and I want to become more involved and interested in helping Georgetown to make some progress.

I am a resident of Georgetown. I live at 120 Burton Street Georgetown. I would have to brush up on some of the Town Codes.

You can contact me at my home phone 302-854-9414 or my work phone 302-628-2006. I am currently the Clinic Manager for Seaford Public Health. I would have no problem attending the 5:00 pm meetings. I plan on retiring within the next two years and I would like to do some volunteering in Georgetown.

Sincerely,

A handwritten signature in cursive script that reads "Shirley D. Hitchens". The signature is written in black ink and is positioned below the word "Sincerely,".

Shirley D. Hitchens
120 Burton Street
Georgetown, DE 19947



ORDINANCE NO. 2014-7

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN BY ADDING A NEW CHAPTER 114 TO BE ENTITLED HOTEL & MOTEL CODE, WHICH CHAPTER 114 ADDRESSES EXTENDED STAY HOTELS AND EXTENDED STAY MOTELS; TO ESTABLISH GUIDELINES FOR THE OPERATION AND MAINTENANCE OF SUCH HOTELS WITHIN THE TOWN OF GEORGETOWN, DELAWARE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Manager and his staff met internally to consider the issue of Hotels and Motels that operate within the Town of Georgetown, Delaware (“the Town”), and to develop suggestions for the operation and maintenance of such facilities; and

WHEREAS, it has been determined that there exist establishments that were originally operated as short term stay Hotels and Motels, but that now are essentially long term residential facilities; and,

WHEREAS, these facilities place a burden on Town services such as code enforcement, police responses to criminal activities, and other services including fire and ambulance; and,

WHEREAS, the Town Manager, with the assistance of his staff, have developed a set of amendments to be added to The Code of the Town of Georgetown, Delaware;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN, DELAWARE:

Section 1. The Code of the Town of Georgetown, Delaware is hereby amended to add the following:

§ 114-1. Definitions.

§ 114-2. Exceptions for special accommodations due to legal or treatment reasons.

§ 114-3 Exemption for Extended Stay Motels and Hotels.

§ 114-4. Permitted Length of Occupancy.

§ 114-5. Prohibited Practices.

§ 114-6. Posted Information.

§ 114-7. Penalty Provisions.

§ 114-8. Other remedies reserved.

§ 114-1. Definitions.

LODGING ACCOMMODATIONS - means the paid public occupancy by reason of concession, permit, right of access, rental, or other agreement, by any person or persons for a period of thirty (30) consecutive calendar days or less, or a total of no more than sixty (60) calendar days within a one hundred eighty (180) consecutive calendar day period.

Motel - means a facility which offers transient lodging accommodations to the general public with access to guest rooms provided by exterior or interior walkways.

Hotel - means a building in which lodging or boarding and lodging are provided for more than 15 persons, primarily transient, or with more than 10 guest rooms offered to the public for compensation. Ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public, in contradistinction to a boardinghouse, rooming or lodging house or an apartment house, which are herein separately defined. A Hotel may include restaurants, taverns, club rooms, public banquet halls, ballrooms and meeting rooms.

Extended Stay Hotel/Extended Stay Motel - means a facility offering transient lodging accommodations to the general public in which, in addition to normal sleeping beds, some or all of the rental units also provide cooking or kitchen facilities. Cooking and kitchen facilities indicative of an Extended Stay Hotel shall include any of the following: stove, microwave oven, dishwasher, kitchen-type sink, disposal, refrigerator (intended for use by the occupant for storing food and drinks), storage cabinets and vinyl floor area typically found in a food preparation or eating area. An Extended Stay Hotel unit may also include one or more separate attached bedrooms and living areas.

§ 114-2. Exceptions for special accommodations due to legal or treatment reasons

Nothing in this Chapter shall be deemed to include asylums, correctional facilities, detention homes, group housing, hospitals, jails, orphanages, prisons, transitional housing, transitional shelters, sanitarium, or similar buildings or classifications, where human beings are housed or detained under legal restraint, court order, or as part of a treatment plan for a medical, physical, or mental condition.

§ 114-3 Exemption for Extended Stay Motels and Hotels.

The provisions of this Article shall not apply to any Motel or Hotel that meets the requirements of the definition of Extended Stay Hotel/Motel as presented in these regulations.

§ 114-4. Permitted Length of Occupancy.

No occupant shall be permitted to stay in any room of a Hotel or Motel:

- 1) In excess of thirty (30) consecutive calendar days; or,
- 2) In excess of sixty (60) calendar days within a one hundred and eighty (180) consecutive calendar day period of time.

§ 114-5. Prohibited Practices.

In any Hotel or Motel, subject to the provisions of this Chapter, the following shall not be permitted within any room:

1) Cooking

- i. With other than with microwaves provided by management;
- ii. With cooking appliances including, but not limited to, electric cookers, gas fired appliances, hot plates, or any other such device,;
 1. Provided, this prohibition does not apply to cooking appliances provided by management and the room is specifically designed for cooking in accordance with the International Fire, Building and Property Maintenance Code as adopted by the Town; and,
 2. Provided further, that, prior to such activity, if any such room is modified to meet the standards of the International Fire, Building and Property Maintenance Code, as adopted by the Town, to permit cooking, such modification has been reviewed, and approved, by the appropriate Town staff ;

2) Storing of Food Items;

3) Excess electrical appliances, including, but not limited to, computers, televisions, video systems, floor heaters, air conditioning units, lights, or other items if, in the opinion of the Fire Marshal, such items constitute a life threatening or life safety issue pursuant to Town Code or the Delaware State Fire Prevention Regulations;

§ 114-6. Posted Information.

The owner of any Hotel, or Motel, subject to the provisions of the Article, shall assure that the following is posted by the owner, or by management, in each room a printed sign that:

- 1) Sets for the rules and regulations set by the owner, or management, if any, for occupation of the room; and,

2) Sets forth the restrictions established in this ordinance as to cooking, storing of food items, or the use of excess electrical appliances; and,

3) Sets out the procedure for registering a complaint with the owner, or management, as to maintenance, or health, safety and welfare complaints, or problems, that any occupant may have with a particular room; and,

4) Sets forth the maximum number of days that a particular room may be occupied.

§ 114-7. Penalty Provisions.

A) Any owner, operator, manager, or occupant of a Hotel, or a Motel who fails to comply with the provisions of this Chapter shall, upon conviction for such violation, be subjected to a fine not less than \$25.00 nor more than \$100.00, and shall pay the cost of prosecution. For the purposes of this article, each day or part thereof that a violation continues shall be deemed to be a separate offense.

B) Any owner, operator, manager, person or persons, convicted for a violation of this Ordinance shall be subject to forfeiture of the right to a business license, as outlined in § 130-9. License revocation, for the facility deemed in violation of the Ordinance because the facility is not being operated in accordance with Town ordinances.

§ 114-8. Other remedies reserved.

The Town reserves the right to seek any, and all, appropriate relief, including the declaration of a public nuisance, available to it by federal, state, or local laws, regulations, and ordinances.

Section 2. No Impact of Zoning or Land Use Ordinances. Nothing in this ordinance shall be deemed to impact any Town land use, subdivision, or zoning requirement.

Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this ordinance.

Section 4. All ordinances or resolutions, or parts of ordinances or resolution, of Town in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2014.

Bill West, Mayor

Chris Lecates, Secretary

1ST Reading: July 23, 2014
2nd Reading: August 13, 2014
Adoption: August 13, 2014