

INTRODUCED BY: Commissioner Joanne Masten
DATE INTRODUCED: August 8, 2023
PUBLIC HEARING DATE: September 26, 2023
PUBLIC HEARING TIME: 7:00 P.M.
ADOPTION DATE: September 26, 2023
EFFECTIVE DATE: Upon Adoption

ORDINANCE 23-19

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.

WHEREAS, on the 10th day of August, 2022 an application was filed by Davis, Bowen & Friedel, Inc., on behalf of the property owners of record known as Moores Lake Shopping Center, LLC., for rezoning of Tax Parcels; NM-00-095.06-02-03.00/000, NM-00-095.06-02-24.00/000 and NM-00-095.06-02-28.00/000; which application has been designated as Application No. CZ-23-07 and,

WHEREAS, a Public Hearing will be scheduled before the Regional Planning Commission and

WHEREAS, a Business Meeting will be scheduled before the Regional Planning Commission beginning and

WHEREAS, a Public Hearing will be scheduled before the Levy Court.

NOW, THEREFORE, THE LEVY COURT OF KENT COUNTY, DELAWARE, HEREBY ORDAINS:

Section 1. The Comprehensive Plan Map for Kent County, Delaware is hereby amended by revising the land use designation for Tax Parcels; NM-00-095.06-02-03.00/000, NM-00-095.06-02-24.00/000 and NM-00-095.06-02-28.00/000; from Highway Commercial to Neighborhood Commercial. The referenced Tax Parcels forms the area of 3.250 Acres +/- of land located on the east side of Coursen Rd., south of E. Lebanon Road, east of Camden.


Section 2. That the Official Zoning Map of Kent County, Delaware is hereby amended by rezoning Tax Parcels; NM-00-095.06-02-03.00/000, NM-00-095.06-02-24.00/000 and NM-00-095.06-02-28.00/000; from BG (General Business) to BN (Business Neighborhood). The referenced Tax Parcels forms the area of 3.250 Acres +/- of land located on the east side of Coursen Rd., south of E. Lebanon Road, east of Camden.

Section 3. The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of Delaware by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

ADOPTED BY THE LEVY COURT
OF KENT COUNTY, DELAWARE



President, Kent County Levy Court
This 26th Day of September 2023

ATTEST: 
Clerk of the Peace

Synopsis: This ordinance revises the Comprehensive Plan Map land use designation, and the Official Zoning Map for Tax Parcels; NM-00-095.06-02-03.00/000, NM-00-095.06-02-24.00/000 and NM-00-095.06-02-28.00/000; for Commercial development.