

INTRODUCED BY: Joanne Masten
DATE INTRODUCED: November 14, 2023
PUBLIC HEARING DATE: January 9, 2024
PUBLIC HEARING TIME: 7:00 P.M.
ADOPTION DATE: January 9, 2024
EFFECTIVE DATE: Upon Adoption

ORDINANCE 24-02

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 9th day of October, 2023 an application was filed by Victory Development c/o Melanie Bagley, VP, on behalf of the property owners of record known as Michael C. Gibson & Rex A. Gibson, for rezoning of Tax Parcel; ED-00-086.00-01-31.00/000; which application has been designated as Application No. CZ-23-11 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 Parcel; ED-00-086.00-01-31.00/000; from Medium Density Residential to Highway Commercial. The referenced Tax Parcel forms the area of 2.60 Acres +/- land located on the west side of Bay Road (Co. Rd. 7), approx., 366' south of Lafferty Lane (Co. Rd. 347), south of Dover.

Section 2. That the Official Zoning Map of Kent County, Delaware is hereby amended by rezoning Tax Parcel; ED-00-086.00-01-31.00/000; from RSI (Single Family Residential) to BG (General Business). The referenced Tax Parcel forms the area of 2.60 Acres +/- land located on the west side of Bay Road (Co. Rd. 7), approx., 366' south of Lafferty Lane (Co. Rd. 347), south of Dover.

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 9th Day of January 2024

ATTEST: _____
Clerk of the Peace

Synopsis: This ordinance revises the Comprehensive Plan Map land use designation, and the Official Zoning Map for Tax Parcel ED-00-086.00-01-31.00/000; for Commercial development.