

PLANNING & ZONING COMMISSION

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ROBERT C. WHEATLEY



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878 T
(302) 854-5079 F
JANELLE M. CORNWELL, AICP
DIRECTOR

October 16, 2017

Jason Palkewicz, P.E.
Solutions IPKM, LLC
303 North Bedford Street
Georgetown, DE 19947

RE: Notice of Decision for the Preliminary Site Plan for Oyster House Village (CU 1642) to be located off Oyster House Road.
Tax Parcel: 334-19.08-42.00

Dear Mr. Palkewicz:

At their meeting on October 12, 2017 the Planning Commission granted **approval** for the **Preliminary Site Plan** for Oyster House Village (CU 1642) for the construction of 30 **condominium homes** with site improvements to be located off Oyster House Road. **The property is zoned AR-1.**

The Final Site Plan may be endorsed by staff upon receipt of all **agency approvals** and with changes per the Staff Review Letter dated September 26, 2017. Agency approvals that are needed include, but are not limited to: DelDOT, Office of the State Fire Marshal, Sussex Conservation District, U.S. Army Corp of Engineers, and DNREC Wetlands and Subaqueous Lands Section.

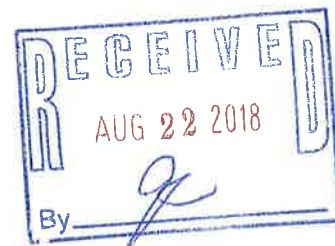
Please submit a minimum of **three (3)** signed and sealed paper copies of the Final Revised Site Plan to the Planning Office for endorsement. The Planning Office will keep **two (2)** copies of the plan. The **other copy** will be returned to the applicant and shall be submitted as part of the Building Permit **application** process. Additional copies of the plan may be submitted for endorsement by staff.

Please feel free to contact staff with any questions during business hours 8:30-4:30 Monday through Friday at 302-855-7878.

Sincerely,

Samantha Bulkilvish

Samantha Bulkilvish
Planner I



OYSTER HOUSE VILLAGE



solutions
 303 North Bedford Street
 Georgetown, DE 19840
 302.297.9215
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VICINITY MAP
 SCALE: 1" = 2,000'

SITE DATA:

APPLICANT/ DEVELOPER: OHV DE, LLC
 18585 COASTAL HIGHWAY
 UNIT 10, P.M.B. 21
 REHOBOTH BEACH, DE 19971
 CONTACT: DAN MCGREEVY

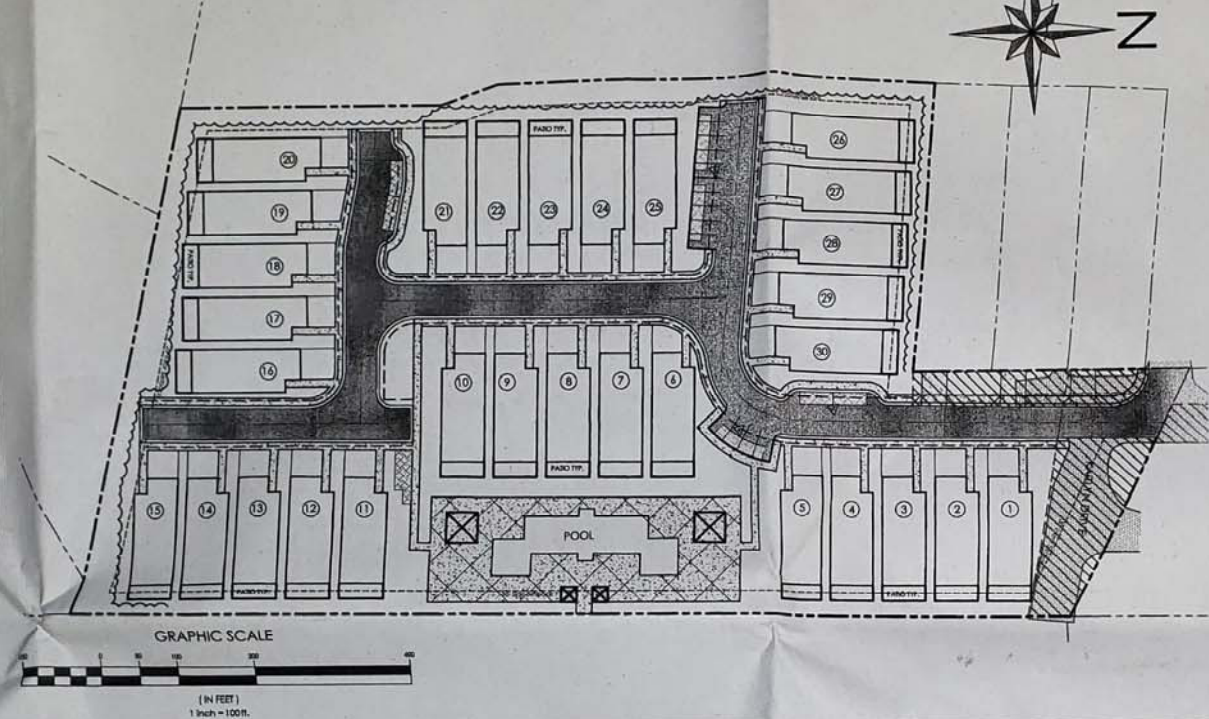
OWNER: OHV DE, LLC
 18585 COASTAL HIGHWAY
 UNIT 10, P.M.B. 21
 REHOBOTH BEACH, DE 19971

ENGINEER: SOLUTIONS IPEM
 303 N BEDFORD STREET
 GEORGETOWN, DE 19947
 PHONE: 302.297.9215
 CONTACT: JASON PALKEWICZ, PE



- TM 334-19.08, P. 42
 BOOK 4206, PAGE 82
 SITE AREA = 4.51 ± ACRES
- EXISTING ZONING: AGRICULTURAL RESIDENTIAL (AR-1)
- PROPOSED USE:
 30 CONDOMINIUM HOMES
 PROPOSED DENSITY: 6.65 DU/AC
 PROPOSED OPEN SPACE: 1.30 AC ±
- FRONT YARD SETBACK: 30 FEET
 SIDE YARD SETBACK: 15 FEET
 REAR YARD SETBACK: 20 FEET
- 40' MINIMUM BETWEEN BLOCKS
- FLOOD ZONE:
 BASED UPON F.E.M.A. FLOOD INSURANCE RATE MAPS, 10005C0335K
 PANEL 353 OF 660 AND 10005C0334K PANEL 354 OF 660 WITH
 EFFECTIVE DATES OF MARCH 16, 2015. THIS PROPERTY IS LOCATED
 WITHIN FLOOD ZONE DESIGNATION X, AREAS DETERMINED TO BE
 OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN; FLOOD ZONE X
 SHADED; AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1%
 ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1
 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND
 AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD,
 AND ZONE AE ELEVATION S, BASE FLOOD ELEVATIONS
 DETERMINED
- WATER SUPPLY:
 REHOBOTH BEACH
- SANITARY SEWER:
 SUSSEX COUNTY
- BOUNDARY SHOWN HEREIN ARE AS PROVIDED BY SOLUTIONS
 IPEM, LLC.
- MAXIMUM BUILDING HEIGHT SHALL BE 42'
- PARKING CALCULATIONS
 PARKING REQUIRED = 2 SPACES/UNIT = 2 x 30 = 60 SPACES
 PARKING PROVIDED:
 2 INTERNAL/GARAGE SPACE/UNIT = 60
 2 SPACE/DRIVE = 60
 (NOTE: SOME DRIVEWAYS MAY HAVE SUFFICIENT LENGTH TO
 ALLOW FOR ADDITIONAL PARKING)
 STREET PARKING = 18
 TOTAL PARKING PROVIDED: 138
- INFRASTRUCTURE IS ANTICIPATED TO BE COMPLETED IN ONE PHASE
 EXISTING WOODS = 55,750 SF
 WOODLANDS TO REMAIN = 12,913 ± SF

NO.	DATE	DESCRIPTION



FIRM MAP
 N.T.S.
 SEE SHEET 2 FOR ZONE DESIGNATIONS

ORDINANCE NO. 1835
 With Conditions

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN A-B-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES ON UNITS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWIS AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.51 ACRES, MORE OR LESS

WHEREAS, on the 28th day of April 2005, a conditional use application, designated Conditional Use No. 1642, was filed on behalf of Sunrise Ventures, L.L.C.; and

WHEREAS, on the 3rd day of November 2005, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 1642 be approved with conditions; and

WHEREAS, on the 29th day of November 2005, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of fact, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County;

NOW, THEREFORE,
 THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1642 as it applies to the inhabitants described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Lewis and Rehoboth Hundred, Sussex County, Delaware, and lying west of the Lewis and Rehoboth Canal, 450 feet southwest of Route One, and being more particularly described as follows:

BEGINNING at a point on the westerly right of way of Oyster House Road and lands of the United States of America (Leves and Rehoboth Canal); thence north 77 degrees 11 minutes 19 seconds west 119.66 feet to a point; thence south 03 degrees 13 minutes 45 seconds west 124.21 feet to a point; thence north 78 degrees 09 minutes 51 seconds west 39.26 feet to a point; thence north 02 degrees 39 minutes 23 seconds east 14.31 feet to a point; thence north 81 degrees 35 minutes 37 seconds west 187.62 feet to a point; thence south 04 degrees 48 minutes 45 seconds west 204.55 feet to a point; thence north 01 degree 58 minutes 19 seconds west 83.74 feet to a point; thence south 16 degrees 27 minutes 48 seconds east 38.88 feet to a point; thence south 03 degrees 03 minutes 41 seconds west 168.47 feet to a point; thence south 75 degrees 11 minutes 15 seconds east 335.51 feet to a point on lands of the United States of America; thence north 03 degrees 44 minutes 05 seconds east 618.04 feet along lands of the United States of America to the point and place of beginning, said parcel containing 4.51 acres, more or less, as plotted by Meridian Consulting Engineers, L.L.C.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

- Any security lighting shall only be installed on the buildings and shall be screened so that they do not shine on any neighboring residential properties. The lights shall be downward illuminated.
- The maximum number of residential units shall not exceed 30 units.
- All entrance, intersection, roadway and multi-modal improvements required by DelDOT shall be completed by the Applicant in accordance with DelDOT's determination.
- Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements.
- Construction, site work, grading and delivery of construction materials, etc. to the property shall only occur between the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday.
- The site plan shall be subject to review and approval by the Planning and Zoning Commission and shall include a landscaping plan.

7. Addressing shall be subject to the review and approval of the Sussex County Addressing Department.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1835 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 21ST DAY OF MARCH 2006.

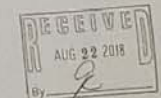
Robert A. Crisp
 ROBERT A. CRISP
 CLERK OF THE COUNCIL

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

- This is an application for a conditional use for multi-family dwelling structures in an AR-1 Agricultural Residential District on 4.51 acres of land lying along the west side of the Leves and Rehoboth Canal, 450 feet southwest of Route 1 in Lewis and Rehoboth Hundred, Sussex County, Delaware.
- A traffic impact study was not recommended and the present level of service on Road 37C would not change if this application is approved.
- The applicant proposes to construct 30 townhouses designed multi-family dwelling units with 3 parking spaces per unit, and 15% of the site is to remain in open space with a pool, playground, beach area and stormwater management ponds.
- The development has obtained a maintenance assessment from the Army Corps of Engineers for the area along the canal on which they will install new landscaping, a gazebo and picnic tables for use by residents of the development.
- The applicant proposes a gross density of approximately 6.6 units per acre compared to Blue Point Villas which has a density of 12 units per acre, Oyster Bay Villas with a density of 8 units per acre, and the adjacent single family subdivision that has a density of 4 units per acre.
- Central water will be provided by the City of Rehoboth Beach and application has been made to the County Engineering Department to be served by the County sewer system.

- The project meets the purposes of the zoning ordinance and it promotes the orderly growth of the County because the project is located in a developing area on the Comprehensive Zoning Plan Update.
- There are similar residential projects in the area and this project will not have an adverse impact on neighboring properties or the community.
- This is a redevelopment of a property that was formerly used for outdoor storage of refuse and waste and was not properly maintained.
- The conditional use is approved subject to the seven (7) conditions, which will serve to minimize any potential impacts on the surrounding area.

PRELIMINARY SITE PLAN
 for
OYSTER HOUSE VILLAGE
 REHOBOTH BEACH, SUSSEX COUNTY, DELAWARE
 Prepared for: OHV DE, LLC



Date:	05-11-2017	Scale:	1"=50'
Job Number:	015049	Drawn By:	CDC
Scale:	1"=50'	Designed By:	CDC
Checked By:		Approved By:	

FOR OYSTER HOUSE VILLAGE

solutions

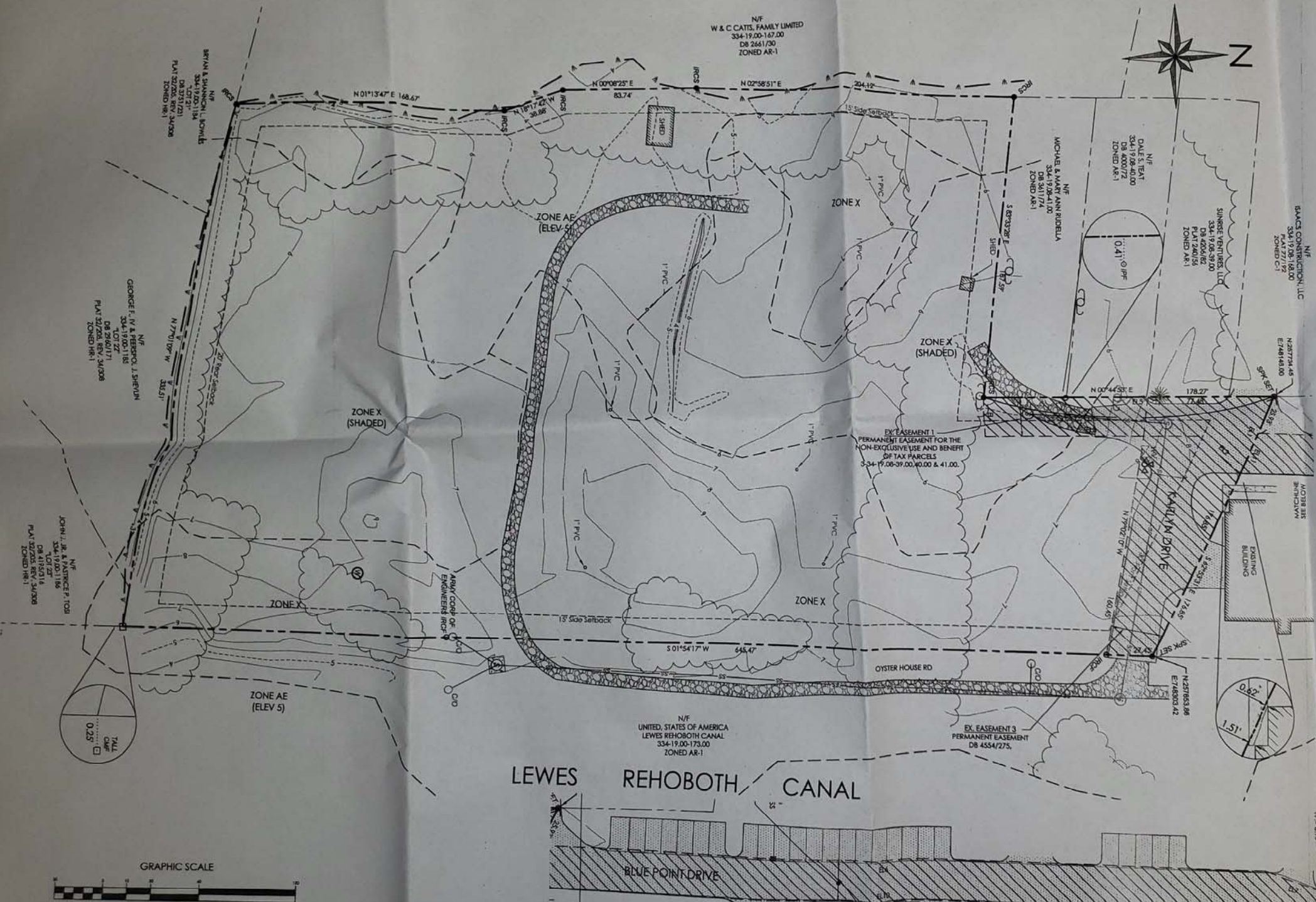
203 North Academy Road
Georgetown, DE 19840
T. 302.397.2710
F. 302.397.2710
200 South Main Street
Salisbury, MD 21801
T. 410.572.8800
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NO.	DATE	REVISIONS	DESCRIPTION

PRELIMINARY EXISTING SITE PLAN
for
OYSTER HOUSE VILLAGE
REHOBOTH BEACH, SUSSEX COUNTY, DELAWARE
Prepared for: OHV DE, LLC

Date: 06-11-2017
Job Number: G11504P
Scale: 1"=30'
Drawn By: CDC
Designed By: CDC
Approved By: JF



EASEMENT 1

LINE	BEARING	DISTANCE
EL1	S 62°53'31" E	53.56'
EL2	S 43°20'47" W	33.96'
EL3	S 00°44'53" W	129.49'
EL4	N 89°15'07" W	25.00'
EL5	N 00°44'53" E	178.27'

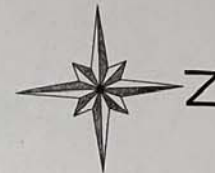
EASEMENT 2

LINE	BEARING	DISTANCE
EL6	N 01°56'51" E	444.40'
EL7	N 21°25'03" E	40.68'
EL8	S 60°48'08" E	25.23'
EL9	S 21°25'03" W	32.97'
EL10	S 01°56'51" W	451.86'
EL11	N 62°53'31" W	27.62'

RECEIVED
AUG 22 2018
By: [Signature]



FOR OYSTER HOUSE VILLAGE

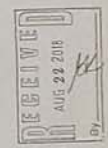
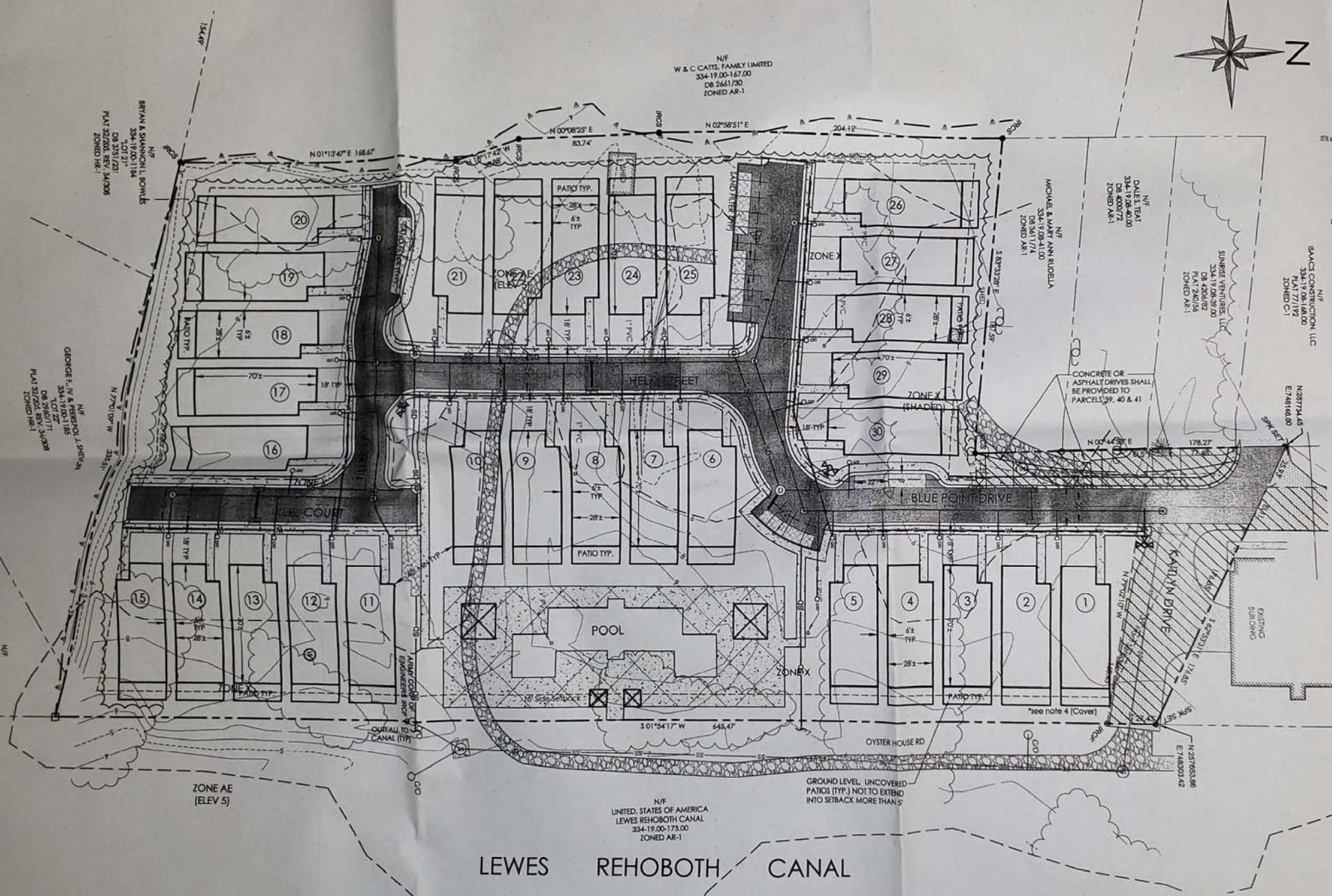


LEGEND

	EXISTING	PROPOSED
PROPERTY LINE	---	N/A
EASEMENT LINE	---	N/A
EASEMENT HATCH	////	N/A
SETBACK LINE	---	N/A
ITEM/NOTATION FOUND	CMF □	N/A
IRON PIPE	○ IRCP	IRCS ●
SPIKE SET	N/A	SPK SET ⊙
MAJOR CONTOUR	---	N/A
MINOR CONTOUR	---	N/A
ROAD CENTERLINE	---	N/A
EDGE OF CONCRETE	---	N/A
EDGE OF PAVEMENT	---	N/A
EDGE OF GRAVEL	---	N/A
PAINT STRIPE	---	N/A
CURB	---	---
PAVEMENT HATCH	---	---
CONCRETE HATCH	---	---
GRAVEL HATCH	---	---
BUILDING OUTLINE	---	---
SIDEWALK	---	---
SIDEWALK HATCH	---	---
EDGE OF WETLAND	---	N/A
FLOODPLAIN	---	N/A
STONE MANHOLE	⊙	⊙
CURB INLET	⊙	⊙
STORM PIPE	●	●
SANITARY MANHOLE	●	●
SANITARY CLEAOUT	●	○
SANITARY PIPE	---	---
WATER PIPE	N/A	N/A
FIRE HYDRANT	N/A	N/A
UTILITY POLE	CD	N/A
LIGHT POLE	*	*
TREE LINE	---	---
SAND FILTER	---	---



NO.	DATE	DESCRIPTION



PRELIMINARY SITE PLAN
for
OYSTER HOUSE VILLAGE
REHOBOTH BEACH, SUSSEX COUNTY, DELAWARE
Prepared for: OHV DE, LLC

Date:	05-11-2017
Job Number:	GI 0049
Scale:	1"=50'
Drawn By:	CDC
Designed By:	CDC
Approved By:	JR

GRAPHIC SCALE

Sheet No.:

FOR OYSTER HOUSE VILLAGE

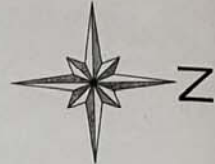


NO.	DATE	DESCRIPTION

PRELIMINARY SITE PLAN
 for
OYSTER HOUSE VILLAGE
 REHOBOTH BEACH, SUSSEX COUNTY, DELAWARE
 Prepared for: OHV DE, LLC

Date	05-11-2017	Job Number	G1504P	Scale	1"=30'	Drawn By	CDC	Designed By	CDC	Approved By	
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Sheet No.:



N/F
 W & C CATTS, FAMILY LIMITED
 334-19-00-167.00
 DB 2661/30
 ZONED AR-1

BRYAN & SHANNON, ARCHITECTS
 334-19-00-118
 DB 3751/231
 PLAN 327205, REV. 3/4/2008
 ZONED AR-1

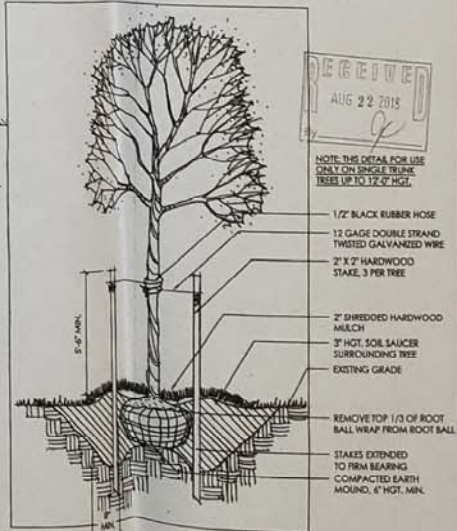
N/F
 DALE S. TEST
 334-19-08-40.00
 DB 4000/72
 ZONED AR-1

N/F
 BAUCS CONSTRUCTION, LLC
 334-19-08-160.00
 DB 3411/74
 ZONED C-1

STATEMENT OF ACCURACY
 I, CHAD D. CARTER, HEREBY STATE THAT I AM A REGISTERED LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD LANDSCAPE ARCHITECTURAL PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

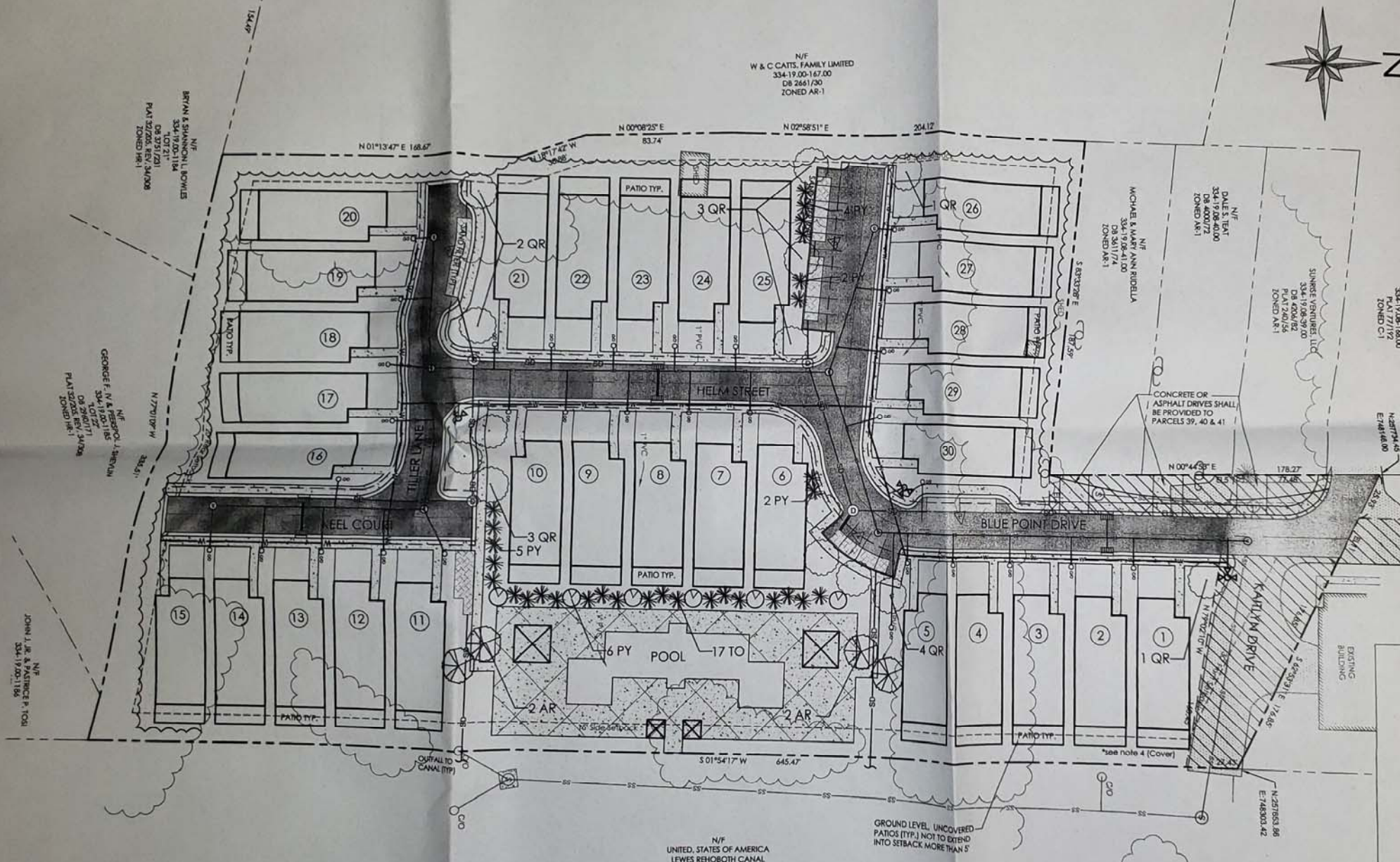
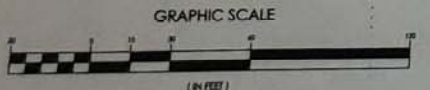
CHAD D. CARTER #51-499 _____ DATE _____

- NOTES:**
- ALL PROPOSED BERMA, LANDSCAPE BED, AND PLANT MATERIAL LOCATIONS ARE DIAGRAMMATIC AND SUBJECT TO ADJUSTMENTS IN THE FIELD. IF THERE IS CONFLICT BETWEEN PROPOSED OR EXISTING UTILITY LINES AND THE PROPOSED PLANTINGS, THE UTILITY LOCATION SHALL GOVERN. ADJUST THE PLANT LOCATION AS REQUIRED.
 - ALL PLANTS SHALL BE FREE FROM DISEASE, INSECT INFESTION, AND MECHANICAL INJURIES, AND SHALL BE GUARANTEED, LABOR AND MATERIAL FOR A PERIOD OF NOT LESS THAN ONE YEAR FROM DATE OF INSTALLATION.
 - SIZE OF PROPOSED TREES AND SHRUBS AS NOTED IN THE LANDSCAPE SCHEDULE IS AT TIME OF PLANTING.
 - TREES SHALL BE SUPPORTED IMMEDIATELY AFTER PLANTING. ALL TREES GREATER THAN 4 INCH CALIPER SHALL BE GUYED, AND SMALLER TREES SHALL BE STAKED WITH TWO STAKES EACH.
 - THE CONTRACTOR MUST CONTACT MASS UTILITY AT 800-257-7777 FOR EXISTING UTILITY LOCATION MARKOUT. A MINIMUM OF 72 HOURS PRIOR TO ANY NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE. ANY REPAIR OF DAMAGE TO EXISTING UTILITIES SHALL BE AT THE CONTRACTOR'S EXPENSE.
 - THIS PLAN DOES NOT INCLUDE THE NECESSARY PRECAUTIONS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN ACCORDANCE WITH THE OCCUPATION, SAFETY AND HEALTH ACT OF 1970, AND ALL RULES AND REGULATIONS APPROPRIATE THERE TO.
 - THE MAINTENANCE OF ALL LANDSCAPED AREAS AND PROPOSED LANDSCAPING, WILL ULTIMATELY BECOME THE RESPONSIBILITY OF THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION AFTER INSPECTION AND ACCEPTANCE BY THE GOVERNING AUTHORITY.
 - IN THE CASE THAT THE PLANT LIST QTY DOES NOT MATCH THE PLAN, THE PLAN SHALL GOVERN.



PLANT LIST

Sym.	Qty.	Botanical Name	Common Name	Size & Remarks
ORNAMENTAL TREES				
PY	19	Prunus x yedoensis	Yoshino Cherry	2 1/2' cal. min.
EVERGREEN TREES				
TO	17	Thuja occidentalis	Eastern Arborvitae	8'-10' hgt. min.
DECIDUOUS TREES				
AR	14	Sunset Red Maple		



N/F
 UNITED STATES OF AMERICA
 LEWES REHOBOTH CANAL
 334-19-00-173.00
 ZONED AR-1

N/F
 JOHN J. JR. & ASSOCIATES P. ARCH.
 334-19-00-118

N/F
 GEORGE F. N. & ASSOCIATES L. ARCH.
 334-19-00-118
 DB 3400/11
 PLAN 327205, REV. 3/4/2008
 ZONED AR-1