

*"A Historic Past"*



*"A Bright Future"*

CITY OF DELAWARE CITY  
407 Clinton Street – P.O. Box 4159  
Delaware City, Delaware 19706  
302-834-4573

**CITY OF DELAWARE CITY  
PLANNING COMMISSION  
REGULAR MEETING  
OCTOBER 1, 2007**

**CALL TO ORDER**

Commissioner Carol Schofield called to order the regular meeting of the Planning Commission at 7:05 p.m. Those present included Commission Members Todd Lightcap, Carol Stewart, Madonna Malinowski, Carol Schofield, Eric Diehl, and Joe Neel. City Manager Paul Morrill was also in attendance.

**ACTION UPON THE PREVIOUS MINUTES**

Commissioner Stewart made a motion to accept the minutes of the September 10, 2007 meeting, as written. Commissioner Neel seconded the motion. A vote was taken, all ayes, motion carried.

**101 WASHINGTON STREET – JAMES & ALLISON DEZSI – SPECIAL EXCEPTION UNDER C-1L ZONE TO ESTABLISH A TEA ROOM**

As neither James nor Allison Deszi were in attendance, discussion was tabled until a future meeting.

**210 CLINTON STREET – PETER SCHAEFFER – SPECIAL EXCEPTION FOR A BED AND BREAKFAST IN R-1 ZONE**

Mr. Schaeffer explained that he does not currently own 210 Clinton Street. However, he would be interested in purchasing it if a special exception would be granted so that the property could be used as a Bed and Breakfast. He also questioned the parking. He stated that the property would be large enough to

accommodate off street parking, but he would rather not have a driveway cut across the sidewalk for the sake of appearances. City Manager Morrill gave some background, stating that the property is on the corner of Clinton and Henry Sts. He continued by listing the requirements for a Bed and Breakfast as follows: minimum lot size of 10,000 square feet, off-street parking consisting of one space for each rental unit and one space for the residents, open area which is 50% of the total lot size, minimum landscape buffer of 10 feet along rear and side property lines, type of residence must be single family detached, one full bath for the exclusive use of the occupants of each three-guest units which should be accessible from each guest room without going through another guest room, and finally a special exception granted by the City. Discussion and questions followed.

Mr. Schaeffer stressed the fact that he wanted to make sure that the special exception would stay with the property if he should decide to sell it as a Bed and Breakfast. City Manager Morrill assured him that special exceptions, while not recorded, would stay with the land as long as the conditions that were required for granting the special exception were maintained.

City Manager Morrill reminded the PC members that Mr. Schaeffer would have to apply to the State and County regarding Life Safety Codes and Food Service Codes. He added that Mr. Schaeffer would have to go through a Change of Use Permit process which would start with Delaware City, go to New Castle County and then to the Fire Marshall, to change the use from a single family dwelling to a Bed and Breakfast use. Discussion followed.

Ray Fruytier of Fifth Street said that it shouldn't be a problem to have guest parking on the street as it would be less unsightly than the numerous commercial vehicles that have parked in front of 210 Clinton Street previously.

Commissioner Neel made a motion to grant a special exception to 210 Clinton Street for a Bed and Breakfast in an R-1 Zone, waiving the off-street parking. Commissioner Lightcap seconded the motion. A vote was taken, all ayes, motion carried. Discussion of the procedures followed with Mr. Schaeffer.

**800 (806) FIFTH STREET – WHITTAKER BROTHERS & PRESTON CARDEN  
PARTIAL REZONING FROM R-1 TO C-1; SUBDIVISION; AND LAND  
DEVELOPMENT PLAN**

Mr. Whittaker announced that this was being withdrawn.

**604 FRONT STREET – WHITTAKER BROTHERS - RE-SUBDIVISION AND AREA VARIANCES**

Mr. Whittaker presented plans that would change a prior subdivision that was granted to Preston Carden. The main purpose for changing the subdivision was to allow a 12' access to the back of 74 Washington Street. This 12' strip would then become part of the 74 Washington Street parcel. No new parcels would be created. These are in a C-1 Zone. Discussion followed. City Manager Morrill informed the PC that the Historic Preservation Commission had previously approved a three-townhouse façade design. Mr. Whittaker stated that he would be changing that design slightly. City Manager Morrill added that if the design were to be changed significantly, it would have to be re-approved by HPC. Additional discussion followed. The variances that Mr. Whittaker was requesting were front footage and lot area. City Manager Morrill reminded Mr. Whittaker that the 12' strip of land must join 74 Washington Street, which Mr. Whittaker currently owns. Discussion followed. Commissioner Diehl made a motion to approve the re-subdivision of 604 Front Street including: reduction of lot area for parcels #1 and #3 from 5000 square feet to 2800 square feet, reduction of lot area for parcel #2 from 5000 square feet to 2000 square feet, reduction of lot frontage from 50' to 28' for parcels #1 and #3, reduction of lot frontage from 50' to 20' for parcel #2, for the purpose of the remaining parcel to become part of 74 Washington Street. Commissioner M. Malinowski seconded the motion. A vote was taken, all ayes, motion carried.

**COMMENTS**

Mr. Whittaker informed PC that he would like to start a discussion, in the future, with the various committees, groups, and commissions such as Main Street, Planning Commission, and HPC to see what the long range plans are for the downtown area. Discussion followed. City Manager Morrill said that it would be a good idea and that Main Street would probably be the best group to lead that study.

**ADJOURNMENT**

Commissioner M. Malinowski made a motion to adjourn the meeting. Commissioner Diehl seconded the motion. A vote was taken, all ayes, no nays, meeting adjourned at 8:05 pm.

Respectfully submitted,

*Dawn K. Gwynn*

City Secretary