

Town of Milton

115 Federal Street
Milton, DE 19968



www.milton.delaware.gov

Phone: 302-684-4110

Fax: 302-684-8999

RESOLUTION 2020-017

TO SCHEDULE A TIME AND PLACE FOR A PUBLIC HEARING ON THE ANNEXATION APPLICATION OF, BBD, LLC ON BEHALF OF STEPHEN AND LYNN DEXTER FOR PARCEL 235-14.15-67.00 ADDRESSED AS 100 MILTON ELLENDALE HIGHWAY. THIS PARCEL TOTALS 7.68 +/- ACRES LOCATED AT THE CORNER OF ROUTES 5 & 16, ADJACENT TO MILTON ELLENDALE HIGHWAY, UNION STREET EXTENDED, CEDAR CREEK ROAD AND MULBERRY STREET EXTENDED AND FOR THE PROPOSED AMENDMENT TO THE TOWN ZONING MAP AND COMPREHENSIVE PLAN FOR THE SAME PARCEL

WHEREAS, the Mayor and Town Council of the Town of Milton, Delaware (“the Town”), may, from time to time, amend by ordinance the boundaries of the Town’s zoning districts, pursuant to Chapter 220, Article XIV of the Town Code; and

WHEREAS, the Town Code requires the Mayor and Town Council to fix by resolution the time and place of the public hearing and cause notice to be given via: publication in a paper not less than 15 days prior to the date of the hearing; written notice to any required municipal, county, state, or federal agency in a manner prescribed by law; and certified mail, return receipt requested, to all owners within 200 feet of the boundaries of the subject property at least 10 days prior to the public hearing; and

WHEREAS, Section 3(j) of the Town Charter requires that the Mayor and Town Council schedule a public hearing on an annexation petition after receiving the Planning and Zoning Commission’s report on the petition; and

WHEREAS, the Town has received an annexation application from BBD, LLC on behalf of Stephen and Lynn Dexter for a parcel 235-14.15-67.00 addressed as 100 Milton Ellendale Highway. This parcel totals 7.68 +/- acres located at the corner of Routes 5 & 16, adjacent to Milton Ellendale Highway, Union Street Extended, Cedar Creek Road and Mulberry Street Extended; which also requires an amendment to the Town Zoning Map, and Comprehensive Plan for the same parcel; and

WHEREAS, Town Council referred the annexation application to the Special Review Committee for review and recommendation. On July 30, 2020 the Special Review Committee signed an advisory report recommending Town Council proceed with the proposed annexation.

WHEREAS, Town Council referred the annexation application to the Planning & Zoning Commission for review and recommendation. On August 18, 2020 the Planning & Zoning Commission signed an advisory report recommending the annexation of this parcel with Zoning C-1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Milton shall hold a public hearing at 6:30 p.m. on September 21, 2020 in the Grace Church Fellowship Hall, located at 512 Union Street, Milton, Delaware, on the application for annexation into the Town of Milton one parcel located at the corner of Routes 5 & 16, adjacent to Milton Ellendale Highway, Union Street Extended, Cedar Creek Road and Mulberry Street Extended and on a proposed amendment to the Town zoning map and Comprehensive Plan for the same parcel.

BE IT FURTHER RESOLVED that the Town of Milton shall cause notice to be given in accordance with Milton Town Code Section 220-101 and Title 22 of the Delaware Code.

I, THE UNDERSIGNED, Secretary of the Town of Milton, do hereby certify that the above resolution was passed at the meeting of the Town Council, duly called and convened, held on the 31st day of August, 2020, at which a quorum was present and voting throughout and that same is still in full force and effect.

TOWN OF MILTON

BY:

James C. Gards
SECRETARY

DATE:

9/2/20