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2011-01-02

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Pittsburgh, PA 15219
(412) 263-2200
(412) 263-2210 (fax)

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
(302) 266-0212
(302) 266-6208 (fax)

Remington, Vernick & Arango Engineers
243 Route 130, Suite 200
Bordentown, NJ 08505
(609) 298-6017
(609) 298-8257 (fax)

December 10, 2010

Office of State Planning Coordination
122 William Penn Street, Third Floor
Dover, DE 19901

Attn: Dorothy L. Morris
Planner

Re: Town of Townsend
Comprehensive Plan Amendment
Parcel #2500200095

Dear Ms. Morris:

The Town of Townsend is submitting this Comprehensive Plan Amendment to re-zone a recently annexed parcel (2500200095) from its current split zoning of residential / commercial to commercial. This parcel was to be zoned as commercial during the 2010 Comp Plan update; however, this did not happen. See attached documentation from owner Diamond Networking Group, LLC. The owner and myself meet with Herb Inden on November 10, 2010 to discuss this process.

Should you have any questions please do not hesitate to contact me directly with any questions at (302) 266-0212.

Very truly yours,
Remington, Vernick & Beach Engineers

Thomas G. Wilkes, P.E.

cc: Councilwoman Sandy Sturgis, Zoning Chair
Azure DeShields, Financial Officer
Christopher J. Fazio, P.E., C.M.E.

Preliminary Land Use Service (PLUS)
Comprehensive Plan Amendments and Municipal Ordinances

Delaware State Planning Coordination
122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Name of Municipality: The Town of Townsend	
Address: **P.O. Box 223** **661 South Street** **Townsend, DE 19734**	Contact Person: Tom Wilkes **Phone Number: 302-378-8082** **Fax Number:302-378-7099** E-mail Address: thomas.wilkes@rve.com

Date of Most Recently Certified Comprehensive Plan: August 2010

Application Type:

Comprehensive Plan Amendment: Re-Zoning of recently annexed parcels

Ordinance: _____

Other: _____

Comprehensive Plan Amendment or Municipal Ordinance prepared by:	
Address: **Remington, Vernick & Beach Engineers** University Office Plaza **Bellevue Building** **262 Chapman Road, Suite 105** **Newark, DE 19702**	Contact Person: Tom Wilkes **Phone Number: 302-266-0212** Fax Number: 302-266-6208 **E-mail Address: thomas.wilkes@rve.com**

Maps Prepared by:	
Address: Remington, Vernick & Beach Engineers **University Office Plaza** Bellevue Building **262 Chapman Road, Suite 105** **Newark, DE 19702**	**Contact Person: Tom Wilkes** **Phone Number: 302-266-0212** Fax Number: 302-266-6208 **E-mail Address: thomas.wilkes@rve.com**

Please describe the submission:
The Town of Townsend wishes to re-zone a previously annexed parcel (2500200095) from its current split zoning of residential / commercial to commercial. See attached documentation from owner.

Diamond Networking Group LLC

P.O. Box 416 Townsend, De19734

Ph: (302) 229-3791 Fax:(302) 378-4679

7/30/10

2500200095 > 6007

To: Mayor and Council
Town of Townsend
661South St
Townsend, De 19734

From: Brian A Hayes (president)
Diamond Networking Group LLC
6001-6007 Summit Bridge Rd
Townsend, De 19734

Re: Tax Parcel # 14-016.01-035 (Rt. 71 @ Townsend Traffic Light (Ginns Corner); Gateway to Town of Townsend; Corner of Pine Tree Rd)

Subject: Request for Change of Zoning to Commercial Regional (CR)

Dear Mayor and Council,

Thank you for your recent approval for the annexation of our property into the Town of Townsend. We had anticipated that the parcel would be annexed with a CR Commercial zoning, and now understand that the entire parcel is not. Please accept this letter as a request for a change in the above referenced parcel's zoning certification from CR/SR to full CR or your determination of the maximum allowable amount of CR at the earliest possible convenience.

In your review of our request you may find that this property is currently zoned as CR (Commercial Regional) and SR (Suburban Reserve). I have attached the most recent survey and other supporting documents that we have on file. Our intended purpose for this request stems from our desire to expand our growing automobile related services operation as a primary and immediate goal. With our 2007 acquisition of the adjacent facility (located at 98 Main St, dba: Certified Automobile Repair & Service and Parts Plus Rental), we have diversified into automobile repair, parts, and equipment rental. Over the next few months we will be expanding that operation to include collision repair. The fact of the matter is that we are running out of room to conduct services, which we believe, provide value to our growing community.

As a longer term goal this rezoning will also promote consideration from companies like Wawa or Royal Farms to put a location in our community. Future development of this parcel seems to be a logical addition to the town serving as the largest corner property at the Gateway to the Town of Townsend.

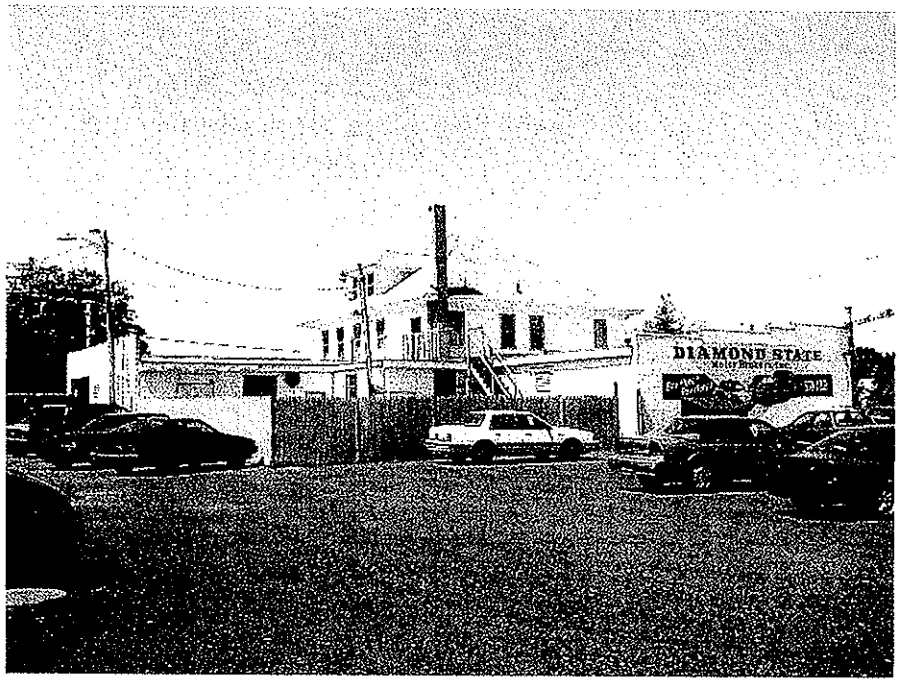
Please note there are wetlands located on the unimproved portion of the property currently zoned SR (designated on Wetlands Location Plan). We do not wish to change or alter the wetlands as they are an important part of future planning and provide a natural solution for storm water management and DNREC compliance. Additionally, because of the wetlands (which have been delineated and are not intended to be developed at all), residential use of the property is not the highest and best use for the site.

We respectfully request any assistance the Mayor and Council of Townsend can provide in fulfilling the above referenced request. We have never made a request of this nature before and are not familiar with any requirements or procedures which may be due on our part. Will you kindly guide us in whatever may be required and in order to expedite this request in a timely manner. Thank you very much for your time and consideration on this matter.

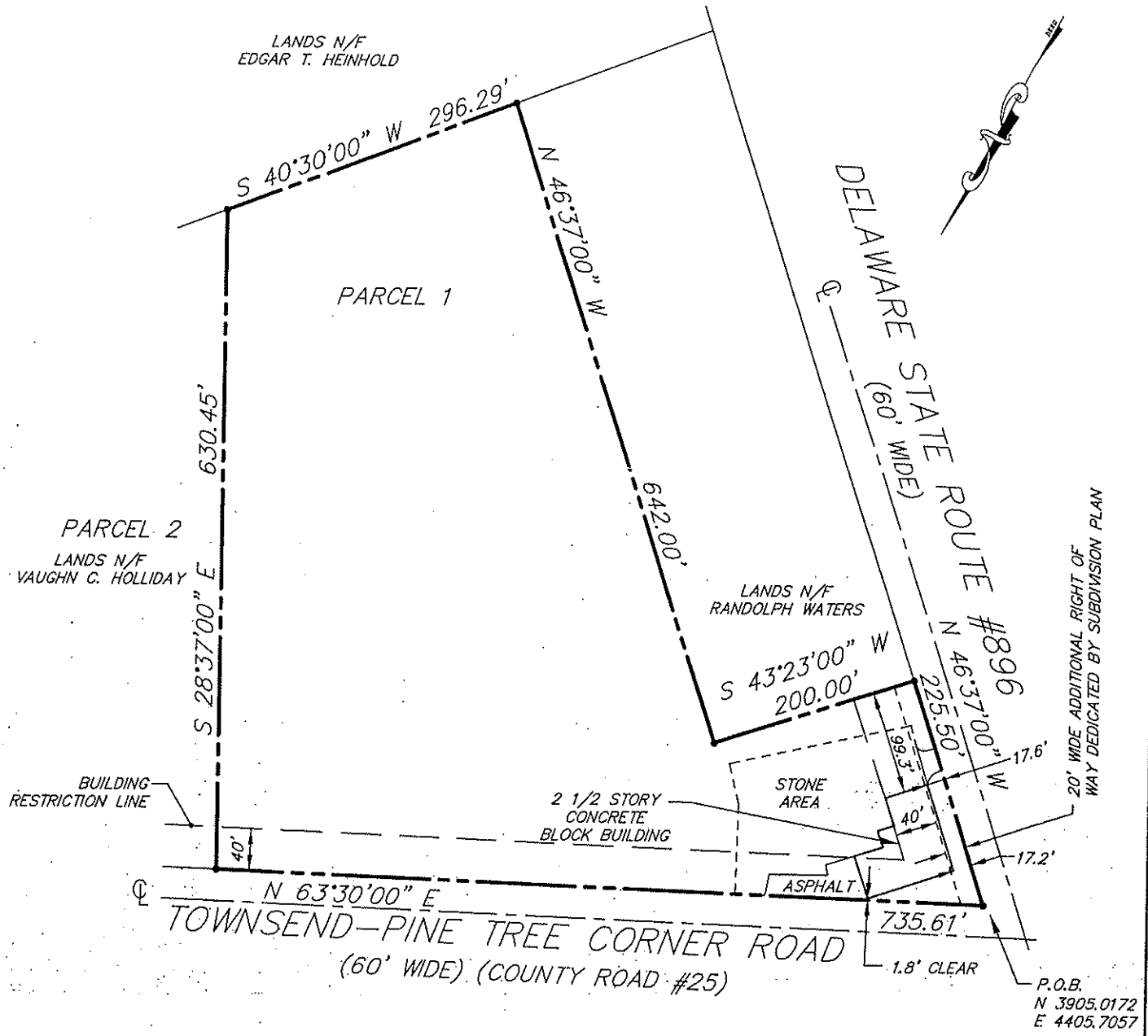
Sincerely,

Brian A Hayes (president)
Diamond Networking Group LLC
(302) 229-3791

Subject Property Located at 6001 Summit Bridge Road, Townsend, Delaware (SJH, 05/16/05)



Rear View of Subject Property (SJH, 05/16/05)



THIS PLAN DOES NOT REPRESENT A PROPERTY SURVEY & SHOULD NOT BE USED FOR FURTHER IMPROVEMENTS. CORNERS HAVE NOT BEEN STAKED UNLESS NOTED. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS & RESERVATIONS OF RECORD.

SURVEY CLASS: C

MORTGAGE INSPECTION PLAN

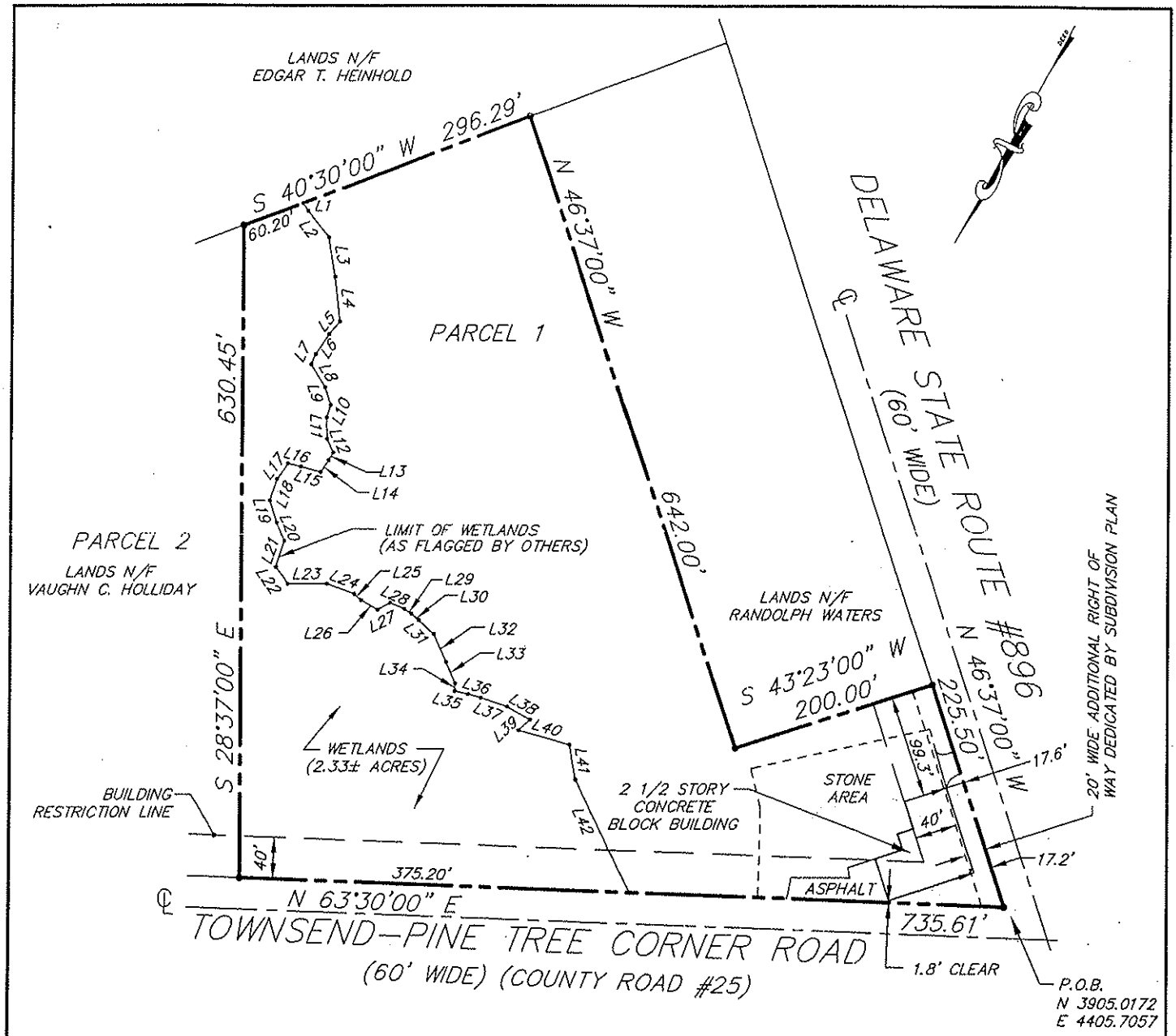
DIAMOND NETWORKING GROUP, L.L.C.

6001-6007 SUMMIT BRIDGE ROAD
PARCEL 1
"WARRINGTON" SUBDIVISION
APPOQUINIMINK HUNDRED
NEW CASTLE COUNTY, DELAWARE

PROJECT	TAX PARCEL #	DEED REF.	DATE	SCALE
540-0524	14-016.01-035	1758-247	3-26-02	1" = 150'

APPROVED BY

PROFESSIONAL LAND SURVEYING
© EAST COAST SURVEY
P.O. BOX 3854
WILMINGTON, DE 19807
PHONE: 302/994-1800



THIS PLAN DOES NOT REPRESENT A PROPERTY SURVEY & SHOULD NOT BE USED FOR FURTHER IMPROVEMENTS. CORNERS HAVE NOT BEEN STAKED UNLESS NOTED. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS & RESERVATIONS OF RECORD.

SHEET 1 OF 2

SURVEY CLASS: C.

WETLANDS LOCATION PLAN

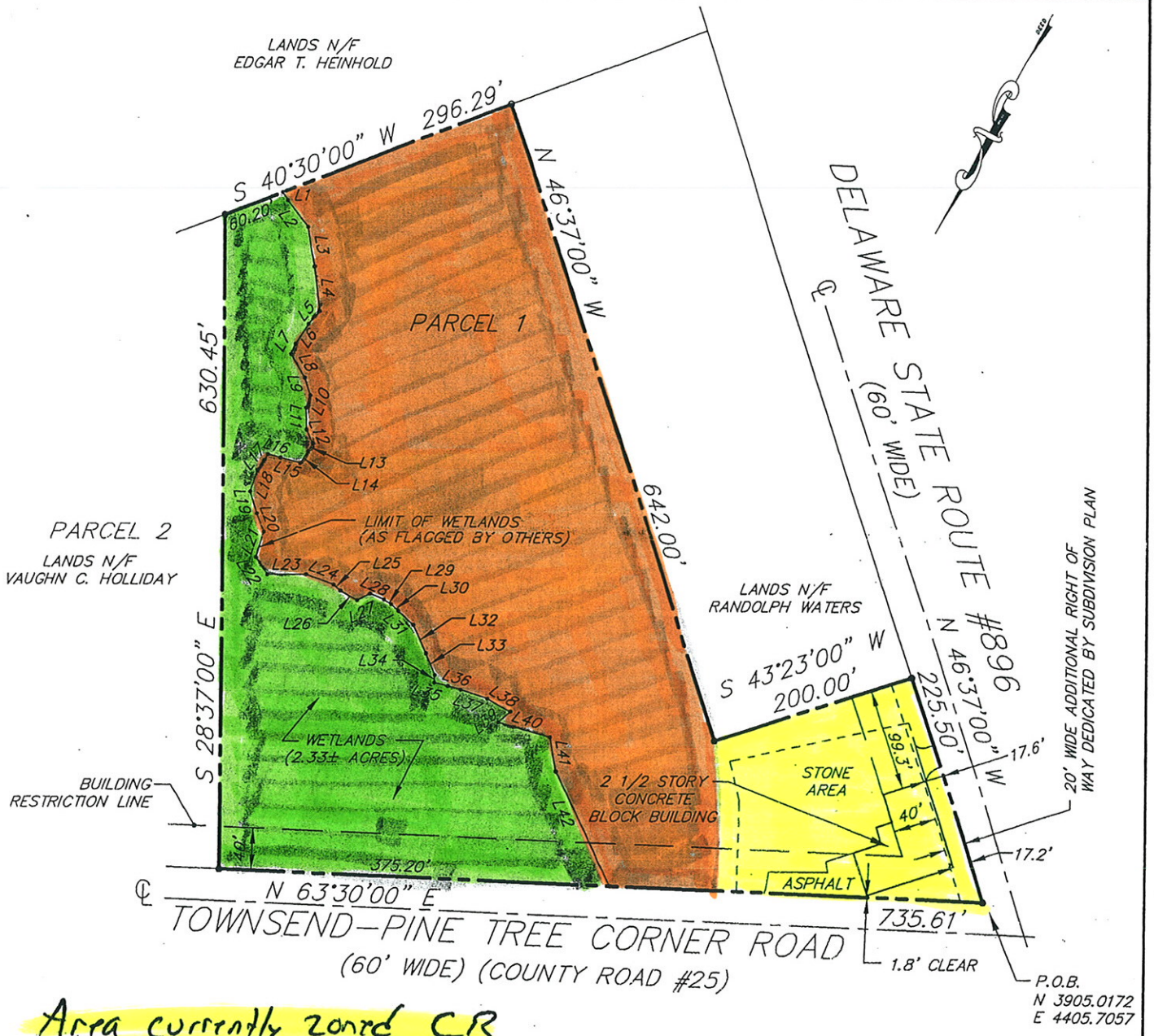
DIAMOND NETWORKING GROUP, L.L.C.

6001-6007 SUMMIT BRIDGE ROAD
PARCEL 1
"WARRINGTON" SUBDIVISION
APPOQUINIMINK HUNDRED
NEW CASTLE COUNTY, DELAWARE

PROJECT	TAX PARCEL #	DEED REF.	DATE	SCALE
540-524A	14-016.01-035	1758-247	2-16-05	1" = 150'

APPROVED BY

EAST COAST SURVEY
PROFESSIONAL LAND SURVEYING ©
P.O. BOX 265
YORKLYN, DE 19736
PHONE: 302/234-8100



Area currently zoned CR

Area desired to re-zone as CR from SR

Wetlands

PIPE
N 3679.7836
E 5366.0787

PIPE
N 3826.8179
E 4779.5501

THIS PLAN DOES NOT REPRESENT A PROPERTY SURVEY & SHOULD NOT BE USED FOR FURTHER IMPROVEMENTS. CORNERS HAVE NOT BEEN STAKED UNLESS NOTED. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS & RESERVATIONS OF RECORD.

SHEET 1 OF 2

SURVEY CLASS: C.

WETLANDS LOCATION PLAN

DIAMOND NETWORKING GROUP, L.L.C.

6001-6007 SUMMIT BRIDGE ROAD
PARCEL 1
"WARRINGTON" SUBDIVISION
APPOQUINIMINK HUNDRED
NEW CASTLE COUNTY, DELAWARE

PROJECT	TAX PARCEL #	DEED REF.	DATE	SCALE
540-524A	14-016.01-035	1758-247	2-16-05	1" = 150'

APPROVED BY

EAST COAST SURVEY
PROFESSIONAL LAND SURVEYING ©
P.O. BOX 265
YORKLYN, DE 19736
PHONE: 302/234-8100

LINE TABLE		
LINE	LENGTH	BEARING
L1	8.94	N62°43'19"W
L2	32.33	N66°51'11"W
L3	38.61	N37°56'10"W
L4	43.15	N34°46'26"W
L5	16.02	N11°21'01"E
L6	22.85	N04°06'16"E
L7	10.56	N03°52'38"W
L8	25.96	N59°47'24"W
L9	18.06	N46°29'47"W
L10	12.48	N10°40'12"W
L11	20.88	N30°15'23"W
L12	14.36	N53°43'10"W
L13	8.67	N01°43'27"E
L14	13.98	N04°31'48"E
L15	20.11	N77°10'38"E
L16	12.76	N74°51'12"E
L17	18.33	N05°22'23"E
L18	21.63	N11°08'48"W
L19	22.52	N45°00'09"W
L20	19.22	N50°14'31"W
L21	26.39	N11°45'11"W
L22	20.07	N63°12'54"W
L23	37.87	S61°07'12"W
L24	27.62	S82°06'01"W
L25	8.90	N76°31'39"W
L26	18.63	N89°59'37"W
L27	13.99	S34°19'55"W
L28	14.60	S84°00'32"W
L29	8.53	N83°45'27"W
L30	9.63	N79°06'41"W
L31	19.98	N76°20'42"W
L32	29.87	N52°56'02"W
L33	22.31	N51°14'25"W
L34	7.44	N26°02'15"W
L35	13.17	S75°24'48"W
L36	12.96	S76°21'36"W
L37	27.91	S79°09'25"W
L38	25.34	N88°54'12"W
L39	15.11	N19°09'53"E
L40	50.36	S77°47'19"W
L41	34.08	N38°13'56"W
L42	120.79	N54°17'08"W

WETLANDS LOCATION PLAN

DIAMOND NETWORKING GROUP, L.L.C.

6001-6007 SUMMIT BRIDGE ROAD
PARCEL 1
"WARRINGTON" SUBDIVISION
APPOQUINIMINK HUNDRED
NEW CASTLE COUNTY, DELAWARE

PROJECT	TAX PARCEL #	DEED REF.	DATE	SCALE
540-524A	14-016.01-035	1758-247	2-16-05	1" = 150'

APPROVED BY

PROFESSIONAL LAND SURVEYING
© EAST COAST SURVEY
P.O. BOX 265
YORKLYN, DE 19736
PHONE: 302/234-8100

THOMAS P. GORDON
COUNTY EXECUTIVE

SHAWN P. TUCKER
GENERAL MANAGER

DEPARTMENT OF LAND USE

September 18, 2000

In reply, refer to:
2000-0963-V

Mr. Brian Hayes
Diamond State Motor Brokers Inc.
6001-6005 Summit Bridge Road
Townsend, DE 19734

Dear Mr. Hayes:

The New Castle County Department of Land Use is in receipt of your request for a verification of zoning and use for tax parcel number 14-016.01-035, located at 6001-6005 Summit Bridge Road Townsend, Delaware.

A review of the Official Zoning Map of New Castle County indicates the subject parcel is zoned **CR (Commercial Regional)** and **SR (Suburban Reserve)**. **Only the CR zoned portion of the site,** highlighted in solid green on the enclosed map, permits the sale, rental, and service of automobiles, light trucks, boats, and motorcycles and the rental of automobiles, but no other truck sales or rental pursuant to Table 03.110 and Section 33.240.P of the New Castle County Unified Development Code (UDC). The SR-zoned portion of the property **cannot** be used for commercial purposes.

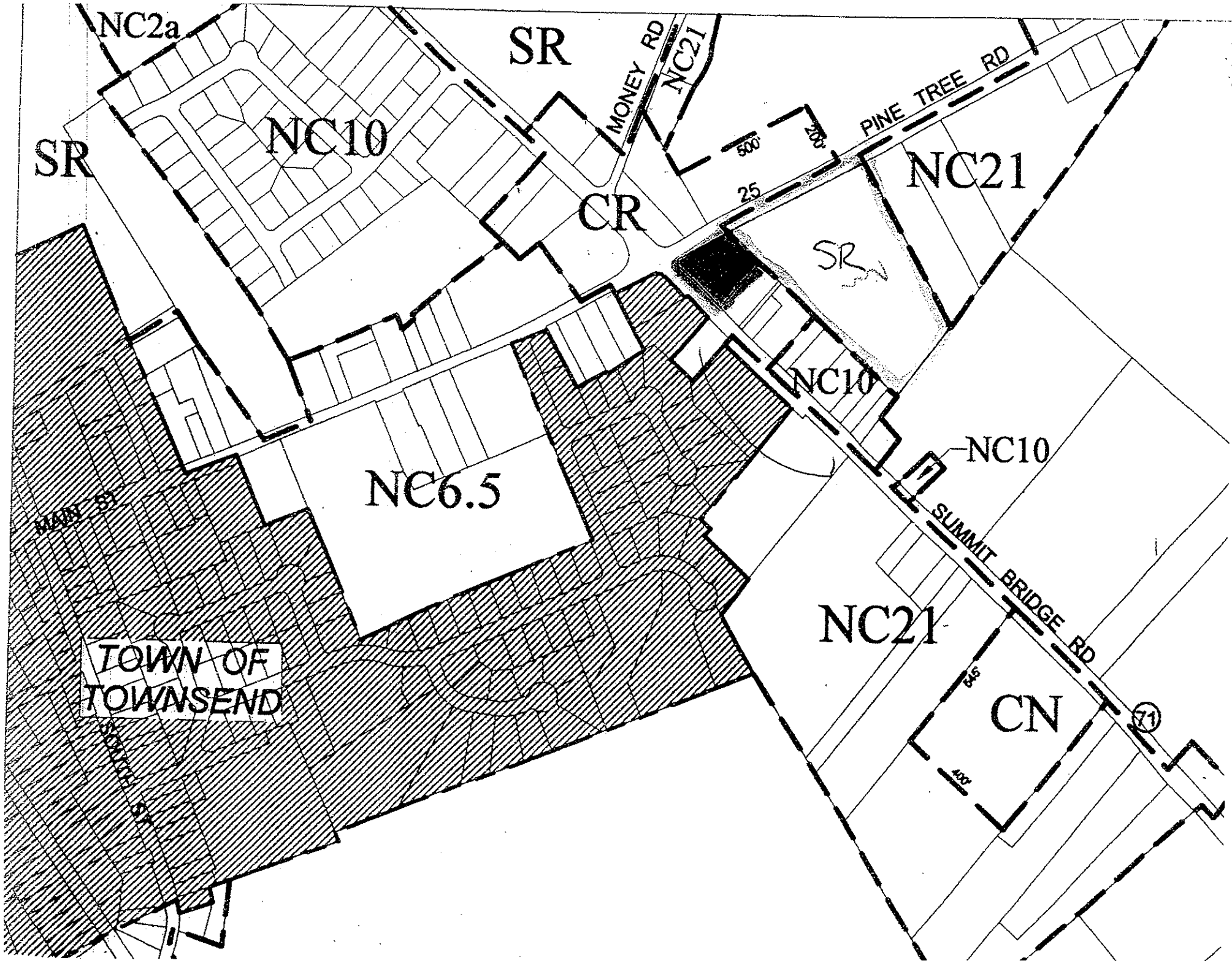
PLEASE BE ADVISED THAT THIS ZONING VERIFICATION ONLY VERIFIES THAT THE USE EXISTING OR PROPOSED ON THE SITE AS YOU DESCRIBED IN YOUR ZONING VERIFICATION APPLICATION IS PERMITTED, NOT PERMITTED, OR PERMITTED UNDER LIMITED CIRCUMSTANCES.

THIS VERIFICATION DOES NOT CONSTITUTE A LIMITED USE PERMIT, CERTIFICATE OF USE, BUILDING PERMIT, CERTIFICATE OF OCCUPANCY, OR ANY OTHER PERMIT THAT MAY BE REQUIRED BY THE NEW CASTLE COUNTY CODE BEFORE THE PROPOSED USE MAY COMMENCE.

Any new or change of use in an existing building may require:

1. **Limited Use Permit Application**. If a landowner proposes to institute a new use or expand an existing use on his/her property and such use is classified as a "Limited Use", a review

87 READS WAY, NEW CASTLE, DE 19720 PHONE: 302-395-5400 FAX: 302-395-5443


NC2a
SR
MONEY RD
NC21
PINE TREE RD
SR
NC10
500'
200'
NC21
25
CR
SR
NC10
NC10
NC6.5
MAIN ST
SUMMIT BRIDGE RD
NC21
TOWN OF TOWNSEND
545'
CN
71
400'
SOUTH ST

David B. Raughley, Mayor
John D. Hanlin, II, Councilman
Sandra J. Wyatt, Councilwoman
Sherene G. Drake, Councilwoman
Karen Jennings, Councilwoman

Townsend
Delaware
A Municipal Corporation
April 3, 1885

Tom Wilkes, Town Engineer
Fred Townsend, III, Town Attorney
Michael J. Jester, Code Enforcement Officer
Azure Wright, Finance Officer / Town Clerk
Cathy Beaver, Executive Secretary

Introduced by: John Hanlin
Introduced on: October 22, 2008

ORDINANCE NO. 08-12
Approving Annexation
6001-6007 Summit Bridge Road

WHEREAS, the equitable owners of certain real property, with the consent of the legal owners, have sought to annex said property into the Town of Townsend; and,

WHEREAS, the said property, consisting of tax parcel number **14-016.01-035,** located at 6001-6007 Summit Bridge Road, Townsend, DE 19734; and,

WHEREAS, the Town Council has previously discussed annexation; and,

WHEREAS, the Town Council believes that annexation is appropriate; and,

WHEREAS, the Town Council is prepared to grant annexation approval; and,

NOW, THEREFORE, BE IT RESOLVED that the proposed annexation be and hereby is, approved subject to such reconsideration as may be desired by Town Council as set forth below; and,

RESOLVED, that in accordance with the laws and charter of the Town of Townsend; and,

RESOLVED, that according to the Town Comprehensive Plan, Adopted by the Town of Townsend on February 5, 2003 that was certified by the Office of State Planning Coordination on February 13, 2003 and amended, November 2003, January 2004 and September 2005 is approved by the plan.

First & Second Reading: November 5, 2008
Public Hearing: December 3, 2008
Third & Final Reading: December 3, 2008

Signed by: _____
Mayor of Townsend

P.O. Box 223 · 661 South Street · Townsend, DE 19734
Phone (302) 378-8082 · Email: townhall@townsend.delaware.gov · Fax: (302) 378-7099
Website: www.townsend.delaware.gov