

CITY OF MILFORD
NOTICE OF ORDINANCE ADOPTION

NOTICE IS HEREBY GIVEN that the following ordinance was adopted during a meeting of Milford City Council on November 13, 2023:

ORDINANCE 2023-43

Application 23-027/Burris Foods, Inc.

Applicant & Owner: Burris Foods, Inc., 501 SE Fifth Street, Milford, DE 19963

Application Type: Change of Zone

Present Comprehensive Plan Map Designation: Industrial (pending adoption of Ordinance 2023-42)

Present Zoning District(s): R-2 (Residential District) Proposed Zoning District(s): I-1 (Limited Industrial District)

Present Use: Industrial Outdoor Storage Proposed Use: Industrial Outdoor Storage

Size and Location: 0.621 +/- acres of land located to the west of 412 McColley Street.

Tax Map & Parcel: 3-30-10.08-070.00 (portion)

WHEREAS, the equitable owners of the property, as described herein, have petitioned the City of Milford Planning and Zoning Office for a Change of Zone from R-2 (Residential District) to I-1 (Limited Industrial District); and WHEREAS, the property is currently used as industrial storage associated with the industrially zoned parcel to the east; and

WHEREAS, the Change of Zone request will be consistent with the adopted 2018 Comprehensive Plan Future Land Use maps, as amended, based on the adoption of Ordinance 2023-42; and

WHEREAS, following the approval of the change of zone, the applicant proposes to record a lot line adjustment plan, to be reviewed administratively by the City Planner; and

WHEREAS, the City of Milford Planning Commission considered the application during their meeting on Tuesday, October 24, 2023, at which time interested parties publicly commented on the application allowing an informed recommendation to be forwarded to City Council; and

WHEREAS, Milford City Council held a Public Hearing on November 13, 2023 to allow for additional public comment and further review of the application, after which a final determination was made; and

WHEREAS, as required by Chapter 230, the Public Notice was published in the Delaware State News, provided to property owners within 200 feet of the subject parcel, and the site properly posted with an announcement of the public hearing.

NOW, THEREFORE, BE IT RESOLVED the City of Milford hereby ordains as follows:

Section 1. The adoption of this Ordinance hereby grants Legal Owner/Applicant Burris Foods, Incorporated a Change of Zone from R-2 to I-1 (Limited Industrial District) of 0.621 +/- acres of land located west of 412 McColley Street, thus allowing an appropriate use within the newly assigned zoning district.

Section 2. Any future use of the property must comply with Chapter 230 and the I-1 (Limited Industrial District) zoning use and area regulations. Enclosed is a copy of the current permitted and conditional uses within the I-1 District.

Section 3. Dates.

City Council Introduction: October 23, 2023

Planning Commission Review & Public Hearing: October 24, 2023

City Council Public Hearing & Adoption: November 13, 2023

Effective: November 23, 2023

For related questions or to view a complete copy of the Code of the City of Milford, please contact the City Clerk's Office by email at cityclerk@milford-de.gov or by calling 302-422-1111 Ext 1142 or 1303. You may also visit the City of Milford website at cityofmilford.com.

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