

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 12, 2024

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, March 12, 2024, at 1:00 p.m., in Council Chambers, with the following present:

Michael H. Vincent	President
John L. Rieley	Vice President
Cynthia C. Green	Councilwoman
Douglas B. Hudson	Councilman
Mark G. Schaeffer	Councilman
Todd F. Lawson	County Administrator
Gina Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

The Invocation and Pledge of Allegiance were led by Mr. Vincent.

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 131 24
Approve
Agenda**

Mr. Lawson reported that under 1:30 p.m. Public Hearings, Item No. 2, CU2406 can be removed, the applicant has asked for it to be rescheduled. A Motion was made by Mr. Schaeffer, seconded by Mr. Rieley, to approve the Agenda, as amended.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Minutes

The minutes from March 5, 2024, were approved by consensus.

**Corre-
spondence**

Mr. Moore reported that there was no correspondence.

There were no public comments.

**Public
Comments**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson to approve the following item under the Consent Agenda:

**M 132 24
Approve
Consent
Agenda**

**Use of Existing Wastewater Infrastructure Agreement – IUA-1049-1
Spring Lake Condominiums, Dewey Beach Area**

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;**

Mr. Vincent, Yea

Recognition Patricia Faucett was recognized for her upcoming retirement.

**Adminis-
trator's
Report** Mr. Lawson read the following information in his Administrator's Report:

1. 2024 Conservation Stewardship Award

I am pleased to announce that the Sussex County Engineering Department received the 2024 Conservation Stewardship Award for outstanding design of the Cannon Road-Inland Bays Road Water Quality Improvements project. Each year, the Sussex Conservation District recognizes organizations in various categories that have exceeded regulations to prepare, protect and preserve sensitive natural resources in the county. This project incorporates a unique blend of stormwater and wastewater best management practices to alleviate nuisance flooding and improve spray application capabilities within our facility.

[Attachments to the Administrator's Report are not attached to the minutes.]

**WS Sewer/
CO No. 1** Hans Medlarz, County Engineer, Ret. presented change order no. 1 for the Western Sussex Unified Sewer District for Council's consideration.

**M 133 24
Approve CO
No. 1/WS
Unified
Sewer** A Motion was made by Mrs. Green, seconded by Mr. Schaeffer, that be it moved based upon the recommendation of the Sussex County Engineering Department that change order no. 1 for contract S19-29, Western Sussex Unified Sanitary Sewer District, Segment 5A be approved increasing the contract by \$221,735.00 contingent upon SRF concurrence.

Motion Adopted: 5 Yeas

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea

**General
Labor/CO
No. 1** Hans Medlarz, County Engineer, Ret. presented change order no. 1 for FY2022 general labor & equipment contract, project S22-01 for Council's consideration.

**M 134 24
Approve CO
No. 1/
General
Labor
Contract** A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, that be it moved based upon the recommendation of the Sussex County Engineering Department that FY24 change order no. 1 for the contract S22-01, FY22 general labor & equipment be approved increasing the contract amount by \$1.9M.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**Grant
Requests**

Mrs. Jennings presented grant requests for Council's consideration.

M 135 24 Little League Baseball (Nanticoke) A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to give \$1,500 (\$1,500 from Mr. Vincent's Councilmanic Grant Account) to Little League Baseball (Nanticoke) for new pitching machines.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

M 136 24 Big Brothers Big Sisters of DE, Inc. A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to give \$2,000 (\$2,000 from Countywide Youth Grant Account) to Big Brothers Big Sister of Delaware Inc. for group mentoring program at the Stevenson House.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

M 137 24 Milton Little League A Motion was made by Mrs. Green, seconded by Mr. Hudson to give \$1,000 (\$1,000 from Mrs. Green's Councilmanic Grant Account) to Milton Little League for concession stand upgrades.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

M 138 24 Sussex Technical High School A Motion was made by Mr. Rieley, seconded by Mr. Hudson to give \$1,000 (\$1,000 from Countywide Youth Grant Account) to Sussex Technical High School for their journal club research on Acute Myeloid Leukemia.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Proposed Mr. Schaeffer introduced a Proposed Ordinance entitled "AN ORDINANCE

Ordinance Introductions TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ELECTRONIC MESSAGE CENTER SIGN TO BE LOCATED ON CERTAIN PARCELS OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.69 ACRES, MORE OR LESS” filed on behalf of Jose Sandoval.

Mr. Hudson introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY (2 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.138 ACRE, MORE OR LESS” filed on behalf of Coastal Bay Homes, LLC.

CC Member Comments There were no Council Member comments.

M 139 24 Go Into Executive Session At 1:19 p.m., a Motion was made by Mr. Hudson, seconded by Mr. Schaeffer to go into Executive Session for the purpose of discussing matters related to land acquisition, personnel & job applicants’ qualifications.

Motion Adopted: 5 Yeas

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea; Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Vincent, Yea

Executive Session At 1:21 p.m., an Executive Session of the Sussex County Council was held in the Caucus Room to discuss matters related to pending & potential litigation, personnel & job applicants’ qualifications. The Executive Session concluded at 1:54 p.m.

M 140 24 Reconvene At 1:58 p.m., a Motion was made by Mr. Hudson, seconded Mr. Rieley to come out of Executive Session back into Regular Session.

Motion Adopted: 4 Yeas, 1 Absent

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent; Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Vincent, Yea

E/S Action There was no action related to Executive Session matters.

Public Hearing/Western Sussex Regional Sewer A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$2,797,264 OF GENERAL OBLIGATION BOND OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE WESTERN SUSSEX REGIONAL SANITARY SEWER DISTRICT PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN

CONNECTION THEREWITH”.

Hans Medlarz, County Engineer, Ret. stated that this is for the funding side of the Western Sussex project. It was believed that prior to the change order, that all of the funding was covered. At this point, there is some deficit that can be accommodated with the debt service assessment.

There were no public comments.

The Public Hearing and public record were closed.

**M 141 24
Adopt
Ordinance
No. 2995/
Western
Sussex**

A Motion was made by Mrs. Green, seconded by Mr. Hudson to Adopt Ordinance No. 2995 entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$2,797,264 OF GENERAL OBLIGATION BOND OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE WESTERN SUSSEX REGIONAL SANITARY SEWER DISTRICT PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Rules

Mr. Moore read the rules and procedures for Public Hearings.

**Public
Hearing/
CU2407**

A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 3.50 ACRES MORE OR LESS” (property lying on the southwest side of Whispering Wind Land and on the north side of Hollyville Road [S.C.R. 305], approximately 0.50 mile south of Lawson Road [S.C.R. 296]) (911 Address: 25709 Whispering Wind Lane, Millsboro) (Tax Map Parcel: 234-21.00-140.01) filed on behalf of Lori & Jose Solis Marin.

The Planning & Zoning Commission held a Public Hearing on the application on February 7, 2024. At the meeting of February 7, 2024, the Planning & Zoning Commission recommended denial of the application for the 8 reasons as outlined.

Jamie Whitehouse, Planning & Zoning Director presented the application.

The Council found that Mr. Boris Berrera, Language Translator, spoke on behalf of the Applicants, Ms. Lori Solis Marin and Mr. Jose Solis Marin, who were also present on behalf of their application. Mr. Berrera stated, on behalf of Mr. Solis Marin, that the proposed business has been there for a

**Public
Hearing/
CU2407
(continued)**

long time; that they have been there for about 10 years; that this is the only place that they know; that this is for general mechanical services; that it includes oil change and brake work; that the work is done inside; that there are facilities to dispose properly of the used motor oil; that they had a system installed to dispose of oil.

Mr. Rieley questioned pictures that were submitted by the applicants.

Mr. Berrera explained that at the previous hearing, the neighbors to the property brought a lawyer and pictures; that they now have an idea of what they should have done at the first hearing; that the neighbors are making the applicants look like bad people; that both parties crossed the line at some point; that the pictures were explained; that the pictures showed the neighbors put equipment, etc. on the applicants property; that there is a camera that is placed on the applicant's property; that it was questioned who the road belongs to; that the neighbor came onto the applicant's property to take pictures; that the road crosses onto the applicant's property; that the applicant has no trespassing signs posted on his property; that there are chickens that go onto the applicant's property but they do not belong to them; that the chickens scratch the paints and then the customers come back and ask for repairs.

Mr. Schaeffer discussed the violations that were discussed during the P&Z Commission meeting. Mr. Whitehouse replied that some of the buildings and structures on site have not gone through the permitting process because the question of the use came up first. The survey that was submitted by the applicant that is included in the record suggests that some of the buildings and structures are approximately 3.6 feet from the new property line by the subdivision. Mr. Whitehouse added that it was questioned that since the buildings have not gone through the full building permit process, are there setback violations. Therefore, it is questioned if there are variances that are needed for those buildings or is the survey incorrect. The survey shows that someone of the building did not meet a 5 feet separation distance.

Mr. Berrera stated that the applicant uses the main road to access their house; that there are two entrances off of the highway; that a discussion was held about the two roads and entrances; that another road was made for customers to use; that the applicant is able to stay on their property without bothering the neighbors; that there is a camper in the front of the property that is not the applicants, however, it is not on their property; that the camper has been there for a long time; that the plan is to get along with the neighbors; that whatever needs to be done to make the neighbors happy they will try to do it.

Mr. Whitehouse reported that the permitting history for the parcel shows that there was a detached garage applied for as an accessory structure to a dwelling on February 28, 2014. He added that it was a 26x50 foot detached garage which was given a CO in December of 2015. It appears that it went through on a residential capacity so it would need a building permit for a

**Public
Hearing/
CU2407
(continued)**

commercial use. Mr. Whitehouse reported that it was discovered that there is an 8x8 detached shed and a 10x16 detached shed that do not appear to be permitted. In addition, a building permit has been received that includes modifications to the fence that was submitted on September 29, 2022. The applicant stated that they submitted a building permit on Friday.

Public comments were heard.

Dr. Juile Hattier spoke in support of the application; that for many years she has used this services of this gentleman to repair her vehicles; that they have been honest and very quiet when you come in; that everything is very orderly; that her vehicle is always delivered on time; that everything is very professional; that the vehicles are always lined up and tagged; that her keys are always tagged and it is very professionally run; that his wife handles all of the phone calls; that it would be a loss for her to not have this repair service; that she owns approximately 13 vehicles; that she has a small farm; that he has worked on many of her different vehicles; that she is in favor for this operation to continue.

Mr. Eric Clarke spoke in support of the application; that he has known the applicants for a long time; that they repair some of his diesel problems for the farm; that a lot of different businesses use their facility; that he knew them before they installed the back entrance; that the opposition used to get their vehicles repaired there as well; that he supports what they do.

Mr. Tim Willard, Esq. with Fuqua, Willard & Schab, P.A. spoke on behalf of Ms. Judy King, an adjacent property owner to the site. Mr. Willard stated that he attended the Planning Commission meeting; that they denied this unanimously; that the Commission stated that if the property owners had sought approval before any development occurred, it is not likely that this intense use would be approved in this location.

Mr. Rieley stated that there are businesses such as Tailbangers and other small businesses are in this area. Mr. Willard stated that it is surrounded by a lot of forest and farmland. Mr. Rieley added that the Council approved a car repair facility just across the entrance to Independence a few years ago.

Mr. Willard stated that when the property was subdivided in 2000, they just cut a line right down the middle; that Whispering Lane is on her property because DelDOT restricted their access to Whispering Lane; that in 2015 the applicant purchased the property; that they have been doing repair work but it has grown; that the Commission also stated that the applicant did not receive a DelDOT permit for the road and noted their setback violations; that Mr. Robertson also discussed the buildings that were not permitted during the meeting; that Mr. Willard read into the record what Mr. Robertson stated during the Commission meeting; that Mr. Schaeffer asked if the applicant could cure those issues with time; that Mr. Willard replied yes; that Whispering Lane is a long skinny lane that goes back to his client's home that is on her property; that when it was subdivided an

**Public
Hearing/
CU2407
(continued)**

easement was granted from the driveway on that roadway; that Mr. Vincent questioned what has changed that it took 9 years to be against this operation; that Mr. Willard replied the growth has increased significant in the last 9 years with the buildings and activity; that pictures were displayed of the property.

Ms. Judy King spoke in opposition to the Application. Ms. King has lived at the adjacent property since 2015; that a picture was shown of what the property looked like in 2015; that when she first moved there, there was not a car repair business; that there was a roofing business; that then they started a repair business; that she has used the business herself; that they are good mechanics; that the business just started growing and growing; that a picture was shown from 2018 showing the business was expanding; that her problem is that it kept growing and growing; that they have put down a lot of millings to create parking areas; that they cut down all of the trees in the back; that there are a lot of cars out there; that there is no buffering; that she has witnessed large fires and burning of things at the shop; that the applicants have been clearing all of the trees to the rear of the property and are burning the debris; that they are storing dumpsters there; that they are good people; that the operation has gotten so big that it affected her land; that someone is storing a camper on her property for the winter; that there are cameras installed on several poles by the applicant; that there are some cameras in the back near her house.

Mr. Willard submitted proposed conditions; that he discussed the 10 proposed conditions that he submitted.

The Public Hearing and public record were closed.

**M 142 24
Defer
Action/
CU2407**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson to defer action on a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 3.50 ACRES MORE OR LESS".

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
CU2408**

A Public Hearing was held on a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A CAR DEALERSHIP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.06 ACRES MORE OR LESS" (property lying on the west

**Public
Hearing/
CU2408
(continued)**

side of Bi State Boulevard [Rt. 13A], approximately 0.32 mile south of Dorothy Road [Rt. 64]) (911 Address: 34900 Bi State Boulevard, Delmar) (Tax Map Parcel: 532-6.00-42.00) filed on behalf of Efren Fernando Acevedo.

The Planning & Zoning Commission held a Public Hearing on the application on February 7, 2024. At the meeting of February 21, 2024, the Planning & Zoning Commission recommended approval of the application for the 4 reasons and subject to the 13 recommended conditions as outlined.

Jamie Whitehouse, Planning & Zoning Director presented the application.

The Council found that Efrain Fernando Acevedo was present on behalf of his Application. Mr. Acevedo stated that he was requesting a Conditional Use to operate a small car dealership, no more than 15 cars, on his property; that he plans to sell most of them on the internet; that he does not plan on having a lot of activity there; that he submitted pictures of the property; that pictures were provided to show where the vehicles would be parked; that he did some clean up on the lot; that he trimmed some trees and bushes; that he does not plan on doing any other activities such as oil change or any mechanical work other than his own personal vehicles; that he had a copy of the dealer procedural manual; that one of the requirements is that the dealership must have an office with a desk and chair adequate to maintain records; that he plans on putting a small shed towards the front to make it a small office; that another requirement is that the dealership must have a sign on the premises; that according to the conditions, he is able to place a sign; that he does not plan to do any work to the lot other than regular maintenance; that he plans on renting porta johns for customers to use the bathroom.

There were no public comments.

The Public Hearing and public record were closed.

**M 143 24
Defer
Action/
CU2408**

A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer to defer action on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A CAR DEALERSHIP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.06 ACRES MORE OR LESS” for the reasons and conditions given by the Planning & Zoning Commission.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Public

A Public Hearing was held on a Proposed Ordinance entitled “AN

Hearing/
CZ2006

ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND B-1 NEIGHBORHOOD BUSINESS ZONING DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 4.7 ACRES, MORE OR LESS” (property lying on the northeast side of John J. Williams Highway [Rt. 24] and the north side of Oak Orchard Road [Rt. 5] at the intersection of John J. Williams Highway [Rt. 24] and Oak Orchard Road [Rt. 5]) (911 Address: 31507 Oak Orchard Road, Millsboro) (Tax Map Parcel: 234-29.00-263.12 [p/o]) filed on behalf of Mahmut Yilmaz.

The Planning & Zoning Commission held a Public Hearing on the application on February 7, 2024. At the meeting of February 7, 2024, the Planning & Zoning Commission recommended approval of the application for the 11 reasons as outlined.

Jamie Whitehouse, Planning & Zoning Director presented the application.

The Council found that Mr. Mahmut Yilmaz, was present on behalf of his Application. Mr. Yilmaz stated that he wanted to put a building on the empty lot next to his shopping center to provide indoor sports; that he wants to do a nice sports center; that there would be indoor soccer, baseball, field hockey, etc.; that he also wants to do a trampoline park; that he spoke with neighboring business owners, and they are all in agreement that this is well needed; that DelDOT has approved the entrance; that the building is going to be almost 24,000 square feet and 24 feet tall; that there will be restrooms and showers; and that it would increase the amount of business of other small businesses in the area.

There were no public comments.

The Public Hearing and public record closed.

M 144 24
Adopt
Ordinance
No. 2996/
CZ2006

A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer to Adopt Ordinance No. 2996 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND B-1 NEIGHBORHOOD BUSINESS ZONING DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 4.7 ACRES, MORE OR LESS” for the reasons given by the Planning & Zoning Commission as follows:

1. C-2 Medium Commercial Zoning is designed to support retail sales and the performance of consumer services. It is intended to be located near arterial and collector roads.
2. The Applicant’s property is 4.7 acres that currently has a split zoning of AR-1 and B-1 at the intersection of Route 24 and Route 5.

**M 144 24
Adopt
Ordinance
No. 2996/
CZ2006
(continued)**

- This is an appropriate location for C-2 Zoning.**
- 3. The property is currently developed with a shopping center that has existed for some time. This shopping center includes retail sales, a restaurant, and a gas station. It is appropriate to bring this entire property under one uniform commercial zoning classification, and C-2 zoning is the appropriate district based on the current use of this property.**
 - 4. The site is served by both central water and central sewer.**
 - 5. C-2 Zoning at this location at this intersection will benefit nearby residents of Sussex County by providing a convenient location for the uses permitted in that Zone.**
 - 6. Because this property is currently developed at a heavily travelled intersection, there is no evidence that this rezoning will have an adverse impact on neighboring properties or area roadways.**
 - 7. The site is in the “Coastal Area” according to the Sussex County Land Use Plan and Future Land Use Map. C-2 Zoning is appropriate in the Coastal Area according to the Plan.**
 - 8. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity and welfare of the County.**
 - 9. No parties appeared in opposition to the rezoning application.**
 - 10. Any future development or redevelopment of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.**
 - 11. For all of these reasons, the C-2 Zoning District is appropriate for this location.**

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**M 145 24
Adjourn**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson to adjourn at 3:30 p.m.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Respectfully submitted,

**Tracy N. Torbert
Clerk of the Council**

{An audio recording of this meeting is available on the County's website.}