

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 19, 2019

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, March 19, 2019, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
Irwin G. Burton III	Vice President
John L. Rieley	Councilman
Samuel R. Wilson Jr.	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

Mr. Hudson was not in attendance. Mr. Burton was not present when the meeting convened but joined the meeting later during the morning session.

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

**Call to
Order**

Mr. Vincent called the meeting to order.

Mr. Lawson reported on Mr. Burton's absence which was due to unforeseen circumstances.

**M 130 19
Amend
and
Approve
Agenda**

A Motion was made by Mr. Rieley, seconded by Mr. Wilson, to amend the Agenda by deleting "Recognition of Sussex County EMS JEMS Team" and by deleting the Old Business matters, and to approve the Agenda, as amended.

Motion Adopted: 3 Yeas, 2 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Absent;
Mr. Vincent, Yea**

Minutes

The minutes of March 12, 2019 were approved by consent.

**Public
Comments**

Public Comments

Jim Martin and Robert Ray commented on homelessness and workforce housing, including the concept of tiny homes.

Rich Borrasso of SARG (Sussex Alliance for Responsible Growth) commented on unrestrained development and the deterioration of roads and roadway capacity. Mr. Borrasso submitted his comments in writing along with a paper entitled "New Transportation Approach Critical".

**Public
Comments
(continued)**

Paul Reiger commented on Board of Adjustment matters.

Dan Kramer commented on the rules of procedure relating to the period of five days that the record remains open for written comments following the Planning and Zoning Commission's issuance of its recommendation to Council (in the event the Commission has not provided its recommendation report to the County Council prior to the County Council's hearing on a change of zone application or conditional use application). Mr. Kramer referenced a public hearing on this date and stated that there has been no public hearing notice posted on the property.

Harold Ossman and Rocky Cain commented on the importance of CHEER's Meals on Wheels program.

**Adminis-
trator's
Report**

Mr. Lawson read the following information in his Administrator's Report:

1. Economic Development Workshop

Sussex County's Economic Development Office this Friday will host a free workshop on five new federally designated Opportunity Zones aimed at helping spark new business investments and growth in southern Delaware.

The free event is set for 8:30 a.m., March 22nd, in Rooms 540A&B of the Carter Partnership Center at Delaware Technical Community College-Owens Campus in Georgetown. The event will focus on what Opportunity Zones are, what options exist for businesses, and the finances associated with operating within a designated area.

The five Opportunity Zones, part of 25 zones statewide designated by the U.S. Department of Treasury, include areas in and around Milford, Georgetown, Laurel, and Seaford. The designation means qualifying investors are eligible for federal tax incentives in identified low-income and economically-challenged areas. Zone designations are intended to encourage additional private investment and bolster ongoing community efforts.

More information can be found on the County's website or by contacting the County's Economic Development Office at (302) 855-7770.

2. Project Receiving Substantial Completion

Per the attached Engineering Department Fact Sheet, Salt Aire received Substantial Completion effective March 4th.

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

Occupational Health Services RFP Results

Karen Brewington, Director of Human Resources, presented the results of and recommendation for a Request for Proposals for comprehensive occupational health services. She reported that the types of services that are covered include but are not limited to pre- and post-employment physical examinations, post injury employee treatment, occupational health medical reviews, workers' compensation examinations, vaccinations for safety sensitive employees, respirator fit testing audiograms, drug and alcohol screening, and DMV medical examinations. Mrs. Brewington reported that two proposals were received and that following a review and interviews, the Review Panel recommended entering into a three-year contract with Access Quality Healthcare, with an option to renew on a year by year extension basis.

M 131 19 Authorize Contract with Access Quality Healthcare/ Occupational Health Services

A Motion was made by Mr. Rieley, seconded by Mr. Wilson, that the Sussex County Council authorizes the Human Resources Department to enter into a contract with Access Quality Healthcare to provide comprehensive occupational services for three years, with the option to renew on a year by year extension basis.

Motion Adopted: 3 Yeas, 2 Absent.

Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Absent; Mr. Vincent, Yea

Pump Station 200 Entrance Safety Modifications/ Project Contribution

Hans Medlarz, County Engineer, referenced the intersection of SR-1 and Dartmouth Road in the Lewes area where the County's Pump Station 200 is located, and discussed DelDOT's proposal for a traffic relief project at the intersection through Henlopen Plaza. Mr. Medlarz stated that the cost of the improvements associated with the pump station parcel is \$6,044. In addition, the Engineering Department recommends a contribution towards the construction for the new entrance for a total contribution amount of \$20,000.

M 132 19 Approve Project Contribution/ Pump Station 200 Entrance Safety Modifications

A Motion was made by Mr. Wilson, seconded by Mr. Rieley, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council approves a contribution in the amount of \$20,000 to the owner of Henlopen Plaza, Ocean Highway, LLC, towards a safer entrance to Pump Station 200 in lieu of a land donation, to be paid upon project completion.

Motion Adopted: 3 Yeas, 2 Absent.

Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Absent; Mr. Vincent, Yea

Defer Grant Requests

It was noted that since Mr. Burton was not in attendance, the grant requests would be deferred,

**Introduction
of Proposed
Ordinance**

Mr. Rieley introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A HR-1 HIGH DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 12.50 ACRES, MORE OR LESS” (Change of Zone No. 1882) filed on behalf of Nassau DE Acquisition Co., LLC (Tax I.D. No. 334-1.00-15.00 (portion of) and 334-1.00-15.03) (911 Address: None Available).

The Proposed Ordinance will be advertised for Public Hearing.

**M 133 19
Recess**

At 10:38 a.m., a Motion was made by Mr. Rieley, seconded by Mr. Wilson, to recess until 11:00 a.m.

Motion Adopted: 3 Yeas, 2 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Absent;
Mr. Vincent, Yea**

**M 134 19
Reconvene**

At 11:00 a.m., a Motion was made by Mr. Rieley, seconded by Mr. Wilson, to reconvene.

Motion Adopted: 3 Yeas, 2 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Absent;
Mr. Vincent, Yea**

**DelDOT
Presenta-
tion/
Coordi-
nation**

Drew Boyce of DelDOT gave a presentation on Sussex County Land Use and Transportation Coordination. Also present were Mark Coté of DelDOT, Planning and Zoning Director Janelle Cornwell and Assistant County Attorney Vince Robertson.

Mr. Burton joined the meeting.

A discussion was held regarding the following: areas of responsibility (land use decisions and transportation requirements), the process (service level evaluation, PLUS, land use application), traffic impact studies, area wide study fee, traffic operational analysis, traffic mitigation requirements, and possible process improvements. Mr. Boyce explained the Support Facility Report, Traffic Impact Study (TIS), an Area Wide Study Fee versus a TIS, and a Traffic Operational Analysis (TOA). Mr. Boyce also discussed traffic mitigation requirements and how they are determined. Mr. Boyce stated that they would like to see better coordination in getting a Traffic Impact Study started and he noted that what could potentially help this process is knowing the intent of the Applicant. Mr. Boyce also referenced traffic mitigation requirements (for developments) and noted that this is one area

**Presenta-
tion**

(continued)

where he would like to see more dialog with the County.

Also in attendance were the following members of the Planning and Zoning Commission: Robert Wheatley, Kim Hoey Stevenson, and Bruce Mears.

Mr. Lawson stated that, based on the presentation and discussion, staff will prepare and make a recommendation to Council for improvements to land use and transportation coordination.

**Grant
Requests**

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

**M 135 19
Council-
manic
Grant**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to give \$1,000.00 (\$500.00 each from Mr. Burton's and Mr. Hudson's Councilmanic Grant Accounts) to the Cape Henlopen Educational Foundation for the Teacher Grants Program.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 136 19
Council-
manic
Grant**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to give \$500.00 from Mr. Burton's Councilmanic Grant Account to the Cape Henlopen School District for H.O. Brittingham Elementary School's Robotics Program.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 137 19
Recess**

At 12:12 p.m., a Motion was made by Mr. Rieley, seconded by Mr. Wilson, to recess until 1:30 p.m.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 138 19
Reconvene**

At 1:32 p.m., a Motion was made by Mr. Wilson, seconded by Mr. Burton, to reconvene.

Motion Adopted: 4 Yeas, 1 Absent.

(continued) **Vote by Roll Call:** Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

Rules Mr. Moore read the rules of procedure for public hearings.

**Public Hearing/
Proposed Ordinance/
Comprehensive Plan** A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND ORDINANCE #2620 ADOPTING THE COMPREHENSIVE PLAN FOR SUSSEX COUNTY TO ADDRESS CHANGES TO THE COMPREHENSIVE PLAN RAISED BY THE STATE OF DELAWARE EXECUTIVE DEPARTMENT, OFFICE OF STATE PLANNING COORDINATION, IN A LETTER DATED JANUARY 18, 2019”.

The Planning and Zoning Commission held a Public Hearing on this Proposed Ordinance on March 14, 2019 at which time the Commission recommended approval.

(See the minutes of the Planning and Zoning Commission dated March 14, 2019.)

Janelle Cornwell, Planning and Zoning Director, presented the Proposed Ordinance. Ms. Cornwell reported that the proposed amendments are minor; that the changes include a sewer map, a note on the Future Land Use Map, the inclusion of a paragraph and the removal of a sentence an agency had a concern with; that the plan has been to the Cabinet Committee and the plan in its current form is awaiting the Governor’s signature.

There were no public comments.

The Public Hearing and public record were closed.

**M 139 19
Adopt Ordinance
No. 2637** A Motion was made by Mr. Burton, seconded by Mr. Wilson, to Adopt Ordinance No. 2637 entitled “AN ORDINANCE TO AMEND ORDINANCE #2620 ADOPTING THE COMPREHENSIVE PLAN FOR SUSSEX COUNTY TO ADDRESS CHANGES TO THE COMPREHENSIVE PLAN RAISED BY THE STATE OF DELAWARE EXECUTIVE DEPARTMENT, OFFICE OF STATE PLANNING COORDINATION, IN A LETTER DATED JANUARY 18, 2019”.

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

**Public
Hearing/
CU 2160**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.91827 ACRE, MORE OR LESS” (Conditional Use No. 2160) filed on behalf of Procino, Wells and Woodland, P.A. (Tax I.D. No. 335-12.06-3.00) (911 Address: 1519 Savannah Road, Lewes).

The Planning and Zoning Commission held a Public Hearing on this application on February 28, 2019 at which time the Commission recommended approval with the following conditions:

- A. The use shall be limited to professional offices only.**
- B. As stated by the Applicant, the use shall occur within the existing structure that will be renovated by the Applicant, while maintaining its residential appearance from Savannah Road.**
- C. The hours of operation will be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and weekends by appointments.**
- D. Any dumpsters shall be located to the rear of the property and screened from view of neighboring properties and roadways.**
- E. The Applicant shall comply with all DelDOT requirements concerning entrance, traffic and roadway improvements.**
- F. All exterior lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
- G. As stated by the Applicant, the existing fencing shall be maintained around the site.**
- H. With the exception of the required handicapped spaces, all parking shall be located in the rear of the property behind the office. The parking areas shall be shown on the Final Site Plan and clearly marked on the site itself.**
- I. One lighted sign will be permitted on the property. The sign shall be no larger than 32 square feet per side.**
- J. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

(See the minutes of the Planning and Zoning Commission dated February 28, 2019.)

Janelle Cornwell, Planning and Zoning Director, presented the application.

The Council found that Tim Willard, Attorney, was present with Michelle Procino Wells, the Applicant. He stated that the Applicant proposes a professional office on Savannah Road, a corridor that consists of many medical and real estate offices; that the house currently located on the site was built in 1934; that the office building will be in keeping with the residential appearance of the area; that there will be improvements but no major changes; that the Applicant plans to update the back entrance with a

**Public
Hearing/
CU 2160
(continued)**

deck and wheelchair entrance; that the parking area will be updated and placed in the back of the site; and that there will be a limited sign in the front. Mr. Willard stated that the application is consistent with the Zoning Code and the Comprehensive Plan and that the use is for a semi-public purpose.

There were no public comments.

The Public Hearing and public record were closed.

**M 140 19
Adopt
Ordinance
No. 2638/
CU 2160**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to Adopt Ordinance No. 2638 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.91827 ACRE, MORE OR LESS" (Conditional Use No. 2160) filed on behalf of Procino, Wells and Woodland, P.A., with the following conditions:

- A. The use shall be limited to professional offices only.
- B. As stated by the Applicant, the use shall occur within the existing structure that will be renovated by the Applicant, while maintaining its residential appearance from Savannah Road.
- C. The hours of operation will be between 7:00 a.m. and 7:00 p.m., Monday through Friday and weekends by appointments.
- D. Any dumpsters shall be located to the rear of the property and screened from view of neighboring properties and roadways.
- E. The Applicant shall comply with all DelDOT requirements concerning entrance, traffic and roadway improvements.
- F. All exterior lighting shall be downward screened so that it does not shine on neighboring properties or roadways.
- G. As stated by the Applicant, the existing fencing shall be maintained around the site.
- H. With the exception of the required handicapped spaces, all parking shall be located in the rear of the property behind the office. The parking areas shall be shown on the Final Site Plan and clearly marked on the site itself.
- I. One lighted sign will be permitted on the property. The sign shall be no larger than 32 square feet per side.
- J. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
CU 2161**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE FOR ACCOUNTING, TAX PREPARATION, AND BOOKKEEPING SERVICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.9468 ACRE, MORE OR LESS” (Conditional Use No. 2161) filed on behalf of Howard Weston Development Company, LLC (Tax I.D. No. 334-4.00-80.00) (911 Address: 29065 Lewes-Georgetown Highway).

The Planning and Zoning Commission held a Public Hearing on this application on February 28, 2019 at which time action was deferred. On March 14, 2019, the Commission recommended approval with the following conditions:

- A. The use shall be limited to professional office use only.**
- B. As stated by the Applicant, the use shall occur within the existing structure that will be renovated by the Applicant, while maintaining its residential appearance.**
- C. The hours of operation shall be between 7:00 a.m. and 9:00 p.m. Monday through Friday, and 7:00 a.m. until 5:00 p.m. on Saturdays. There shall not be any Sunday hours.**
- D. Any dumpsters shall be located to the rear of the property and screened from view of neighboring properties and roadways.**
- E. The Applicant shall comply with all DelDOT requirements concerning entrance, traffic and roadway improvements.**
- F. All exterior lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
- G. With the exception of the required handicapped spaces, all parking shall be located in the rear of the property behind the office. The parking areas shall be shown on the Final Site Plan and clearly marked on the site itself.**
- H. One lighted sign shall be permitted on the property. The sign shall be no larger than 32 square feet per side. The sign may be an Electronic Message Display, but it shall only be operational during the business hours of this use.**
- I. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

(See the minutes of the Planning and Zoning Commission dated February 28 and March 14, 2019.)

Janelle Cornwell, Planning and Zoning Director, presented the application.

The Council found that Dennis Schrader, Attorney, was present with John Travis and Dave Roberts with Howard Weston Development Company and Lynn Rogers of Rogers Sign Co. They stated that the property is located on Route 9 in the general area of Stampers and across the roadway from

**Public
Hearing/
CU 2161
(continued)**

Habitat for Humanity ReStore; that a single family dwelling currently exists on the site; that they propose to use the site/building for professional offices for accounting, tax preparation, etc.; that they will have no more than three employees; that the site is located in an Investment Level 3 according to the Strategies for State Policies and Spending; that the Change of Zone is consistent with the area; and that the area is predominantly commercial.

Mr. Schrader referenced the conditions recommended by the Planning and Zoning Commission and requested amendments to two of the conditions, as follows: (1) In regard to parking, he stated that pre-existing conditions of the site will not allow parking in the rear of the site. There is a two-car garage that prohibits access to the rear of the property on one side, a well on the other side, and a septic system in the rear. They are asking that parking be permitted in the front of the property. (2) In regard to signage, Mr. Schrader stated that the Commission has recommended a 32 square foot sign. Mr. Rogers stated that the Applicant is requesting an 80 square foot electronic and lighted sign. Mr. Rogers asked that the sign be allowed to run 24/7 and dimmed down at night in compliance with the County's sign ordinance. He noted that electronic message centers are not meant to be turned on and off.

In response to questions, Ms. Cornwell stated that any sign over 32 square feet would need a variance from the Board of Adjustment since 32 square feet is the maximum allowable in an AR-1 District. Ms. Cornwell stated that limitations on the electronic sign can be imposed by Council by way of conditions.

There were no public comments.

The Public Hearing and public record were closed.

**M 141 19
Amend
Condition/
CU 2161**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to amend Condition 6G recommended by the Planning and Zoning Commission by removing the first sentence so that it reads as follows: "The parking areas shall be shown on the Final Site Plan and clearly marked on the site itself."

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 142 19
Amend
Condition/
CU 2161**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to amend Condition 6H recommended by the Planning and Zoning Commission by removing the third sentence and inserting new language so that it reads as follows: "One lighted sign shall be permitted on the property. The sign shall be no larger than 32 square feet per side. The sign may be an Electronic Message Display, but it shall be static during non-business

M 142 19
(continued) **operational hours.”**

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

M 143 19
Adopt
Ordinance
No. 2639/
CU 2161

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to Adopt Ordinance No. 2639 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE FOR ACCOUNTING, TAX PREPARATION, AND BOOKKEEPING SERVICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.9468 ACRE, MORE OR LESS” (Conditional Use No. 2161) filed on behalf of Howard Weston Development Company, LLC, with the following conditions, as amended:

- A. The use shall be limited to professional office use only.**
- B. As stated by the Applicant, the use shall occur within the existing structure that will be renovated by the Applicant, while maintaining its residential appearance.**
- C. The hours of operation shall be between 7:00 a.m. and 9:00 p.m. Monday through Friday, and 7:00 a.m. and 5:00 p.m. on Saturdays. There shall not be any Sunday hours.**
- D. Any dumpsters shall be located to the rear of the property and screened from view of neighboring properties and roadways.**
- E. The Applicant shall comply with all DelDOT requirements concerning entrance, traffic and roadway improvements.**
- F. All exterior lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
- G. The parking areas shall be shown on the Final Site Plan and clearly marked on the site itself.**
- H. One lighted sign shall be permitted on the property. The sign shall be no larger than 32 square feet per side. The sign may be an electronic message display, but it shall be static during non-business operational hours.**
- I. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

Public
Hearing/
CZ 1872

The Planning and Zoning Commission held a Public Hearing on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE

**Public
Hearing/
CZ 1872
(continued)**

COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 25.6694 ACRES, MORE OR LESS” (Change of Zone No. 1872) filed on behalf of T.S. Smith and Sons, Inc. (Tax I.D. No. 131-10.00-89.00) (911 Address: 8899 Redden Road, Bridgeville).

The Planning and Zoning Commission held a Public Hearing on this application on February 28, 2019 at which time action was deferred. On March 14, 2019, the Commission recommended approval.

(See the minutes of the Planning and Zoning Commission dated February 28 and March 14, 2019.)

Janelle Cornwell, Planning and Zoning Director, presented the application.

The Council found that Charlie Smith, co-owner of T.S. Smith & Sons, stated that they have a contract of sale on 10 acres of their land that they wish to rezone and sell; that they are selling property for financial reasons; and that there are commercial properties around this parcel of land.

There were no public comments.

The Public Hearing and public record were closed.

**M 144 19
Adopt
Ordinance
No. 2640/
CZ 1872**

A Motion was made by Mr. Wilson, seconded by Mr. Rieley, to Adopt Ordinance No. 2640 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 25.6694 ACRES, MORE OR LESS” (Change of Zone No. 1872) filed on behalf of T.S. Smith and Sons, Inc.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 145 19
Adjourn**

A Motion was made by Mr. Wilson, seconded by Mr. Burton, to adjourn at 2:18 p.m.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Absent; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Respectfully submitted,

**Robin A. Griffith
Clerk of the Council**

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