

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-JANUARY 29, 1991

Call to  
Order

The regular meeting of the Sussex County Council was held on Tuesday, January 29, 1991 at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware with the following members present:

Dale R. Dukes	President
Ralph E. Benson	Vice President
George J. Collins	Member
William D. Stevenson, Sr.	Member

The meeting was opened by repeating the Lord's Prayer and the Pledge of Allegiance to the Flag.

M 040 91  
Approve  
Minutes

A Motion was made by Mr. Collins, seconded by Mr. Benson, to approve the minutes of the previous meeting as submitted. Motion Adopted by Voice Vote.

Corre-  
spondence

Mr. Bayard, County Attorney, read the following correspondence:

V. GEORGE CAREY, STATE REPRESENTATIVE, LEGISLATIVE HALL, DOVER

RE: Roads and safety factors concerning an application for a borrow pit in an Agricultural Residential District - Conditional Use No. 955.

SUSAN CIROSO, ELLENDALE

RE: Objections to a Conditional Use application being used for a borrow pit in an Agricultural Residential District - Conditional Use No. 955.

BONNIE S. WALLS, DECCASA PROGRAM MANAGER, TOWN OF LAUREL

RE: Thanks for grant which will be used to purchase the "Kids on the Block" educational series regarding child abuse, physical handicaps, and substance abuse.

JACK F. OWENS, CAMPUS DIRECTOR; H. TERRY JOHNSON, ATHLETIC DIRECTOR; AND CURTIS BROCK, COACH, DELAWARE TECH, GEORGETOWN

RE: Soliciting funds for a spring training trip for the Delaware Tech Roadrunner Baseball Team.

US ARMY CORPS OF ENGINEERS, PHILADELPHIA

RE: Soliciting comments and recommendations concerning issuance of a permit to increase the borrow area at the flood shoal borrow site, adjacent to Indian River Coast Guard Station in Indian River Inlet. Project will provide

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Corre-  
spondence  
(Con't.)

a greater source of material for beach fill maintenance and allow for the removal of accumulated shoals hindering recreational boating activities in Indian River Bay.

DELAWARE ASSOCIATION FOR RETARDED CITIZENS, INC., WILMINGTON  
RE: Newsletter "Delaware ARC News Notes" for winter.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, USDA,  
GEORGETOWN  
RE: Sussex County ASCS newsletter "The Farmer's Corner".

DELAWARE RIVER BASIN COMMISSION, NEW JERSEY  
RE: Notice of Special Commission Meeting.

Delmarva  
Advisory  
Council  
Report

Mr. Melvin Shreves, Executive Director, Delmarva Advisory Council, gave each of the Councilmen a copy of the "Delmarva Advisory Council Annual Report, 1990" for their review. The Delmarva Advisory Council is recognized by the governors of Delaware, Maryland and Virginia within the region known as the Delmarva Peninsula. The membership is composed of gubernatorial appointees from each state, county officials, designated municipal officials, and private citizens. Committees, composed of volunteers from the counties of the Delmarva region, have been established to encourage the exchange of ideas and information in the following areas: agriculture, history/heritage, museums, parks and recreation, radio, recycling, resource recovery, and tourism. A decision not to increase assessments this calendar year has been made. A request was made by Councilman Collins that special emphasis be placed on the "dead bird disposal" problem as experienced by the three states. Mr. Shreves briefly discussed projects undertaken in the past, future plans, and thanked the County for their continued support and interest in the activities and work of the Advisory Council.

Proposed  
Resolution

Mr. Stickels, County Administrator, read a Proposed Resolution in its entirety entitled "RECOGNIZING 1991 AS COUNTY SEAT BICENTENNIAL YEAR".

M 041 91  
Adopt  
Resolution  
R 007 91

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt Resolution No. R 007 91 entitled "RECOGNIZING 1991 AS COUNTY SEAT BICENTENNIAL YEAR". Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

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Local  
Emergency  
Planning  
Committee

Mr. Stickels, County Administrator, reported that funds have been received from the State thereby allowing the part-time position of Chairman of the Local Emergency Planning Committee to be funded through June 1991. In accordance with the State of the State Message, Governor Castle anticipates legislation being passed that will provide future funding for the program.

Grant  
Request -  
Greenwood  
Library

Mr. Stickels, County Administrator, reported that Greenwood Library has requested authorization to submit an application for a Library Service Construction Act Grant in the amount of \$2,500.00. The intended use of the grant is to provide programs and activities for the older population that will help enrich their lives, enhance their health and well-being, and provide mental stimulation. Programs will be held at the local nursing home, CHEER Center, and the Library.

M 042 91  
Authorize  
Library  
Applica-  
tion

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, authorizing the Sussex County Department of Libraries to submit an application for a Library Service Construction Act Grant in the amount of \$2,500.00 for the Greenwood Public Library. Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Board of  
Assessment  
Review

Mr. Stickels, County Administrator, reported that the Sussex County Board of Assessment Review will be holding Public Hearings beginning March 1, 1991. The term for Fred Rust, a member of the Board, has expired and an appointment is needed for the Board. The Public Hearings are held annually for the purpose of reviewing the property and water/wastewater assessment rolls for property owners who believe their property is improperly assessed.

M 043 91  
Appoint-  
ment Bd.  
of Assess-  
ment  
Review

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to reappoint Fred Rust, Milton, to the Sussex County Board of Assessment Review for a period of five (5) years; term of expiration January 29, 1996. Motion Adopted 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

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Adminis-  
trator's  
Report

Mr. Stickels, County Administrator, reviewed the following items included in his Administrator's Report:

1. United States Department of Commerce, Bureau of the Census - A letter with the 1990 census population counts for Delaware has been received. The counts are subject to possible correction for undercount or overcount. If corrections are made, corrected counts will be published not later than July 15, 1991.
2. Planning and Zoning Construction Permits - 8,107 permits were issued during the calendar year 1990. The estimated value of construction was \$212,174,756.00. This compares to 7,151 permits in 1989 and 7,390 permits in 1988.
3. Reassessment of Dewey Beach Water and Sanitary Sewer Districts - This reassessment is being done by the Sussex County Engineering Department for sewer and water usage purposes. The Engineering Department is mainly interested in the number of equivalent dwelling units on a property. Each property is being visited. The reassessment is expected to be completed by summer, 1991. The cooperation of property owners and renters is appreciated. Questions regarding the reassessment can be directed to the Engineering Department at (302) 855-7719.

C/U #956

Conditional Use No. 956, filed on behalf of Richard C. Miller, was discussed. Public Hearing was held on January 8, 1991 and action was deferred.

M 044 91  
Proposed  
Ordinance  
Denied

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to Adopt Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (TWO (2) UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 8,101 SQUARE FEET, MORE OR LESS" (C/U #956) filed on behalf of Richard C. Miller. Motion Denied: 4 Nay; 1 Absent.

Vote by Roll Call: Mr. Benson, Nay; Mr. Cole, Absent;  
Mr. Collins, Nay; Mr. Stevenson, Nay;  
Mr. Dukes, Nay

Findings  
of Facts  
C/U #956

The Council found that the conditional use was not appropriate legislative action based upon the following findings of facts:

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Findings  
of Facts  
C/U #956  
(Con't.)

1. The application, if approved, would have an adverse impact on traffic in the immediate area.
2. The application does not provide adequate off-street parking.
3. The application, if approved, would present a potential fire protection and public safety hazard in the immediate area.
4. The development of parcel via conditional use is inappropriate and contrary to existing case law.

Dagsboro-  
Frankford  
Sanitary  
Sewer  
District

The Dagsboro/Frankford Sanitary Sewer District Update was postponed until next week. Word has been received from the Farmers Home Administration that the funds for the grant/loan application for the Dagsboro-Frankford Sanitary Sewer District have been approved as requested.

Bethany  
Bay

Mr. Green, Chief of Utility Construction, reported that the contractor is ready to start construction on Phase I at Bethany Bay (Ordinance No. 582, Harbour View, Linder and Company).

M 045 91  
Agreement  
Bethany  
Bay

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, that the President of the Sussex County Council execute an agreement between Sussex County Council and KCI Technologies, Inc. for the construction coordination services for wastewater facilities in Bethany Bay in the proposed Millville/Ocean View Sanitary Sewer District. Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

M 046 91  
Escrow  
Agreement  
Bethany  
Bay

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, that the President of the Sussex County Council be authorized to execute an agreement between Sussex County Council and Bethany Bay for an escrow agreement in the amount of \$22,700.00 to be used for construction coordination services of wastewater facilities to serve the property Bethany Bay in the proposed Millville/Ocean View Sanitary Sewer District. Motion Adopted: 4 Yea; 1 Absent.

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M 046 91  
(Con't.)

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Proposed  
Ordinance  
C/U #962

Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OFFICE AND DISPLAY OF FOOD SERVICE EQUIPMENT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.48 ACRES, MORE OR LESS" (C/U #962) filed on behalf of Donald Bunting. The Proposed Ordinance will be advertised for Public Hearing.

Proposed  
Ordinance  
C/Z #1120

Mr. Benson introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 8,821 SQUARE FEET, MORE OR LESS" (C/Z #1120) filed on behalf of Robert T. and Connie L. Carey. The Proposed Ordinance will be advertised for Public Hearing.

C/U #955

Mr. Stickels, County Administrator, recommended that the record concerning Conditional Use No. 955, filed on behalf of M. J. Webb Farms, Inc. be held open for thirty (30) additional days. At the close of the Public Hearing on January 8, 1991 the record was left open for thirty (30) days for written comments. It is now evident that additional time is needed for staff to complete research, as requested by Councilmen, concerning the proposed agricultural practices and soil suitability for the application.

M 047 91  
Extend  
Record  
for  
Comments  
C/U #955

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, authorizing the extension of the record for written comments for Conditional Use No. 955, filed on behalf of M. J. Webb Farms, Inc., until the close of the working day on March 8, 1991. Motion Adopted: 3 Yea; 1 Abstention; 1 Absent.

Vote by Roll Call: Mr. Benson, Abstained; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Hyper-  
tension  
Screening

The Division of Public Health will be doing hypertension screening in the Courthouse on Wednesday, January 30th from 1:00 p.m. to 3:00 p.m.

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M 048 91 Grant League of Women Voters A Motion was made by Mr. Collins, seconded by Mr. Stevenson, that the Sussex County Council authorizes the distribution of \$1,000.00 to the Sussex County branch of the League of Women Voters, \$600.00 to be awarded from the Human Service Grant Program and \$80.00 from each of the five (5) Councilmen's discretionary accounts; and be it further moved that the funds will be utilized for the reprinting of a legislative directory. Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Recess President Dukes declared a five (5) minute recess at 10:55 a.m.

Reconvene Council was called back into session at 11:00 a.m. by President Dukes.

Bid Opening Mr. Wood, County Engineer, opened the one (1) and only bid received for Project No. 90-13, Contract No. 1, Mechanical Bar Screen. The bid was read as follows:

PARKSON CORPORATION, FLORIDA

Mechanical Bar Screen \$71,080.00

The bid will be reviewed by the Engineering Department for a recommendation.

M 049 91 Councilmanic Grant A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$1,000.00, \$200.00 from each of the five (5) Councilmanic Accounts, to the Delaware Tech Roadrunner Baseball Team to help defray the cost of their spring training trip. Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

M 050 91 State Legislation Mileage A Motion was made by Mr. Benson, seconded by Mr. Stevenson, authorizing the County Administrator to seek State level legislation to Amend Delaware Code that would allow mileage reimbursements for County employees to be made as permitted by the standard set by the Internal Revenue Service. Motion Adopted: 4 Yea; 1 Absent.

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M 050 91  
(Con't.)

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Legisla-  
tive  
News

Council was advised that support was obtained and legislation is being prepared that would prohibit transporting solid waste across County lines. A bill is also being sponsored by Representative West that would prohibit the transfer of sludge across County lines.

Public  
Hearing -  
Community  
Develop-  
ment  
Block  
Grant

A Public Hearing was held to give all citizens an opportunity to participate in the development of an application to the State of Delaware Community Development Block Grant program. The Community Development Program is principally for persons of low and moderate income. The objective is the furtherance of viable urban communities, creating decent housing and living conditions, and expanding economic opportunities through stimulation of private investment and community revitalization.

In accordance with Section 106 (d) (2) (D) of the Housing and Community Development Act of 1974, as amended, Sussex County will readopt their Community Housing and Development Plan (CHDP).

In accordance with Section 106, Review Process, established by the National Historic Preservation Act of 1966, as amended, comments are especially encouraged from interested agencies and individuals with a respect to undertakings that may affect historic properties of significance to such agencies and individuals.

Eligible improvements include: physical structure repair; replacement of appliances, replacement of plumbing and electrical fixtures; and, new or improved insulation of exterior walls, ceilings, and floors.

The criteria for eligibility was defined as follows: property must be a permanent residence of Sussex County owner; low to moderate income; unable to make improvements or secure credit from other sources upon conditions that can be reasonably fulfilled; maximum grant \$10,000.00; taxes must be current; and, home must be insured or insurable.

The proposed application will be filed based upon the following calculations:

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Public  
Hearing  
(Con't.)

FY '91 COMMUNITY DEVELOPMENT BLOCK GRANT - \$1,298,800.00

County - West Rehoboth Housing Rehabs	\$ 108,000.00
Scatter Site Housing Rehabs - 13	130,000.00
Administration	62,000.00
Georgetown - 13 Housing Rehabs	130,000.00
Seaford - 12 Housing Rehabs	120,000.00
Laurel - Infrastructure & 22 Housing Rehabs	271,800.00
Relocation	235,000.00
Millsboro - Infrastructure	192,000.00
5 Housing Rehabs	50,000.00

The only public comments made were questions concerning the Millsboro application. Millsboro residents were encouraged to attend the Millsboro Public Hearing for the Community Development Block Grant being held Monday, February 4, 1991 starting at 7:00 p.m. in their town.

The Public Hearing was closed.

M 051 91  
Recess

A Motion was made at 11:45 a.m. by Mr. Stevenson, seconded by Mr. Benson, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

Reconvene

President Dukes called the Council back into session at 1:30 p.m.

Public  
Hearing  
C/Z #1104

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 0.76 ACRE, MORE OR LESS" (C/Z #1104) filed on behalf of Jack Mears and John Reynolds. The Public Hearing was closed.

M 052 91  
Adopt  
Ordinance  
No. 743  
C/Z #1104

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Ordinance No. 743 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 0.76 ACRE, MORE OR LESS" (C/Z #1104) filed on behalf of Jack Mears and John Reynolds. Motion Adopted: 3 Yea; 1 Nay; 1 Absent.

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M 052 91  
(Con't.)

Vote by Roll Call: Mr. Benson, Nay; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Findings  
of Facts  
C/Z #1104

The Council found that the change of zone was appropriate legislative action based upon the following findings of facts:

1. There is substantial commercial, industrial and nonconforming commercial and industrial in the area.
2. The site as rezoned will comply with the Western Sussex Land Use Plan, since the site is within a town center established within the Plan.
3. The site is well located on a major thoroughfare, Delaware Route 13, a four (4) lane highway. There is no adverse traffic impact.
4. The site is inappropriate for residential development. As rezoned, it will have no impact on any residential property.

Public  
Hearing  
C/Z #1105

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A GR GENERAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 28.15 ACRES, MORE OR LESS" (C/Z #1105) filed on behalf of W. Nelson Hall. The Public Hearing was closed.

M 053 91  
Defer  
Action  
C/Z #1105

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to defer action on Change of Zone No. 1105, filed on behalf of W. Nelson Hall. Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Public  
Hearing  
C/Z #1106

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.206 ACRES, MORE OR LESS" (C/Z #1106) filed on behalf of George C. Coverdale. The Public Hearing was

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Hearing  
C/Z #1106  
(Con't.)

closed and the record held open for two (2) weeks to establish the status of ownership for development of the service road.

M 054 91  
Defer  
Action  
C/Z #1106

A Motion was made by Mr. Collins, seconded by Mr. Benson, to defer action and hold the record open for two (2) weeks on Change of Zone No. 1106, filed on behalf of George C. Coverdale. Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Public  
Hearing  
C/Z #1107

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN UR URBAN RESIDENTIAL DISTRICT TO AN UB URBAN BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 55,200 SQUARE FEET, MORE OR LESS" (C/Z #1107) filed on behalf of Leon T. Fleming and others. The Public Hearing was closed.

M 055 91  
Defer  
Action  
C/Z #1107

A Motion was made by Mr. Stevenson, seconded by Mr. Collins, to defer action on Change of Zone No. 1107, filed on behalf of Leon T. Fleming and others. Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Public  
Hearing  
C/Z #1108

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN UR URBAN RESIDENTIAL DISTRICT TO AN UB URBAN BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 4.3 ACRES, MORE OR LESS" (C/Z #1108) filed on behalf of Margaret K. Justice and Clifton S. Justice. The Public Hearing was closed.

M 056 91  
Adopt  
Ordinance  
No. 744  
C/Z #1108

A Motion was made by Mr. Stevenson, seconded by Mr. Benson to Adopt Ordinance No. 744 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN UR URBAN RESIDENTIAL DISTRICT TO AN UB URBAN BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 4.3 ACRES, MORE OR LESS" (C/Z #1108) filed of behalf of Margaret K. Justice and Clifton S. Justice. Motion Adopted: 4 Yea; 1 Absent.

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M 056 91  
(Con't.)

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Findings  
of Facts  
C/Z #1108

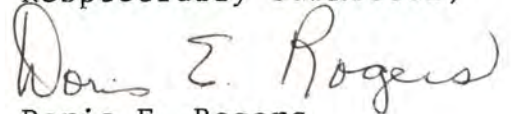
The Council found that the change of zone was appropriate legislative action based upon the following findings of facts:

1. The property is the site of the former Millville Post Office, a nonconforming urban business use.
2. There is substantial urban business activity in the immediate area.
3. There is no sufficient traffic impact based on the historic use of the site.
4. The site is inappropriate for residential development because of neighboring urban business uses and because of a nearby commercial propane storage facility.
5. The site is appropriate for the use proposed by the applicant and need for the use was demonstrated.

M 057 91  
Adjourn

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to adjourn at 3:12 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers  
Clerk of the County Council