

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 28, 1995

Call to Order The regular meeting of the Sussex County Council was held Tuesday, March 28, 1995, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
George J. Collins	Vice President
George B. Cole	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 132 95 A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to Approve approve the minutes of the previous meeting dated March 21, Minutes 1995. Motion Adopted by Voice Vote.

Corre- Mr. Schrader, Assistant County Attorney, read the following spondence correspondence:

JACK LEWIS, STORYBOOK HOUSE, BRIDGEVILLE, DELAWARE.
RE: Report on the use of the Human Service Grant in the amount of \$500.00 from the Sussex County Council.

DEPARTMENT OF THE ARMY, U.S. ARMY CORPS OF ENGINEERS, PHILA-DELPHIA, PENNSYLVANIA.
RE: Notice to solicit comments and recommendations from the public concerning the issuance of a Department of the Army permit. (Applicant: Ronald L. Kachinski and Sandra J. Anderson. Waterway: Assawoman Canal.)

CITY OF MILFORD, MILFORD, DELAWARE.
RE: Letter of invitation to the Mayor's Prayer Breakfast.

Petition For Street Vacation Mr. Stickels, County Administrator, advised Council of a notification of the intention to petition for the vacation of an unopened portion of Washington Street on the west side of Highway 113, Millsboro, Delaware. The petitioners, WAWA, Inc., Thomas J. Cooper and Steven J. Tull, intend to file this petition on or about March 31, 1995. It was the consensus of Council that there is no objection to this vacation of street.

Surplus Equip- ment Mr. Stickels, County Administrator, advised Council that the following County vehicles have been listed as surplus County equipment:

Surplus
Equip-
ment
(con't)

*1951 Dodge Pickup (4)
1966 Ford Pickup
*1954 Dodge Pickup
1968 Chevrolet Pickup
1980 Station Wagon

*Old Army Trucks

M 133 95
Remove
Surplus
Equip-
ment
from
County
Inven-
tory

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to authorize the Accounting Department to remove the above listed County vehicles from the inventory.

Motion Adopted: 4 Yea, 1 Absent.

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

Legis-
lative
Update

Mr. Stickels, County Administrator, provided the following legislative update:

1. House Bill No. 81

"AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SCHOOL IMPACT FEES."

The intent of this Act is to enable county governments in conjunction with school boards located within the county to impose impact fees on new residential construction for the purpose of financing school district capital projects required to serve new growth and development.

It was the consensus of Council that Mr. Stickels not lobby for this legislation.

2. Senate Bill No. 52

"AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF PRIVATE PROPERTY."

This Act, known as the Private Property Protection Act, is designed to protect property owners from governmental actions in the form of regulatory programs, land use and zoning regulations and the like which have the effect of reducing the value of their property by a significant amount.

The Council did not take a position on this legislation at this time.

Legis-
lative
Update
(con't)

3. Un-numbered House Bill

"AN ACT TO AMEND CHAPTER 81, TITLE 9 OF THE DELAWARE CODE RELATING TO THE POWER OF THE SUSSEX COUNTY GOVERNMENT TO IMPOSE AND COLLECT A TAX UPON THE PLACEMENT OF A MOBILE HOME."

This Act grants to the Sussex County government the power and authority to impose and collect a tax upon the placement of a mobile home within the unincorporated areas of the County.

Adminis-
trator's
Report

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

1. Conley Chapel

The Engineering Department, Public Works Division, held a referendum on Saturday, March 18, 1995, for Suburban Community Improvements for Conley Chapel Village. Thirty-one property owners voted; 27 voted in favor, four voted in opposition. Therefore, the referendum successfully passed.

The Public Works Division shall now proceed to complete the appropriate plans and specifications to construct the proposed improvements. A summertime construction period is planned.

2. Troop 4 Status Report - Month of February 1995

The following hours of duty and enforcement were compiled by the uniformed officers at Troop 4, Georgetown, Delaware, during the month of February, 1995:

Total Hours on Duty	2,953.5
Hours Assisted Other Agencies	30
Total Traffic Arrests	745
Total DUI Arrests	20
Accident Reports:	
Property Damage	35
Personal Injury	<u>13</u>
Total Accident Reports	48
Criminal Arrests:	
Felony	18
Misdemeanor	<u>159</u>
Total Criminal Arrests	177
Total 10-29 P's (wanted persons)	41
Total Number of Complaints	428

Adminis- 3. Council Meeting - Councilmanic District 3
trator's

Report
(con't)

The Sussex County Council will meet Tuesday, April 4, 1995, at the Milton Library. The meeting will start at 10:00 a.m. This meeting will be the third in a series of holding Council meetings in each councilmanic district. In addition to the regularly scheduled items, time will be allotted to allow the public to discuss issues that are pertinent to the Milton area.

Adminis-
tration
Building

Mr. Collins requested an update on the construction of the new County Administration Building. A brief update was provided; a full report will be provided at the Council meeting on April 4, 1995.

Change
Order
No. 3,
Contract
B,
West
Rehoboth

Mr. Green, Director of Utility Construction, discussed Change Order No. 3 to Contract B for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District for installation of two inches of Type "C" hot mix in lieu of tar and chip. This change order will be a "no-cost change order" to the County due to the fact that the work will be performed at the request and the expense of The Landing Homeowners Association, Inc.

M 134 95
Authorize
Change
Order
No. 3,
Contract
B,
West
Rehoboth

A Motion was made by Mr. Cole, seconded by Mr. Collins, based on the recommendation of the Inspection Engineer, George, Miles & Buhr, and the Sussex County Engineering Department, that the Sussex County Council authorizes the President of the Sussex County Council to issue Change Order No. 3, for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, Contract "B", Design Areas 4, 10, 11, 12, and 13, to R. E. Pierson Construction Company, in the amount of \$50,002.50, representing the cost difference for installation of two (2) inches of Type "C" hot mix in lieu of tar and chip, at the request and the expense of The Landing Homeowners Association, Inc., with an unrevised substantial completion date of October 20, 1995, and increasing this contract amount to \$8,131,005.45, contingent on the approval of the following agency, Rural Economic and Community Development.

Motion Adopted: 4 Yea, 1 Absent.

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

Irene
Carpenter
Draper
Property

Mr. Green, Director of Utility Construction, discussed Beneficial Acceptance for the water and wastewater facilities constructed in the Irene Carpenter Draper Property located in the Dewey Beach Water and Sanitary Sewer District.

M 135 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, based
Grant upon the recommendation of the Sussex County Engineering
Bene- Department, for Sussex County Project No. 81-04, that the
ficial Sussex County Council grant Beneficial Acceptance for the
Accep- water and wastewater facilities constructed in the Irene
tance Carpenter Draper Property, located in the Dewey Beach Water
Irene and Sanitary Sewer District.

Carpenter
Draper
Property

Motion Adopted: 4 Yea, 1 Absent.

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

Old Conditional Use No. 1104 entitled "AN ORDINANCE TO GRANT A
Business CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL
C/U DISTRICT FOR EXPANSION TO AN EXISTING MANUFACTURED HOME AND
No. 1104 RECREATIONAL PARK BY ADDING 81 RECREATIONAL SITES TO BE
LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN
BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.27 ACRES,
MORE OR LESS", filed on behalf of Eileen P. McCafferty, was
discussed. A Public Hearing was held on this application
on January 10, 1995, at which time the Public Hearing was
closed and action was deferred.

M 136 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, to
Adopt Adopt Ordinance No. 1017 entitled "AN ORDINANCE TO GRANT A
Ordinance CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL
No. 1017 DISTRICT FOR EXPANSION TO AN EXISTING MANUFACTURED HOME AND
(C/U RECREATIONAL PARK BY ADDING 81 RECREATIONAL SITES TO BE
No. 1104) LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN
BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.27 ACRES,
MORE OR LESS" (Conditional Use No. 1104) filed on behalf of
Eileen P. McCafferty, with the following conditions:

1. The site plan shall be subject to review and approval of the Planning and Zoning Commission. Final approval shall be subject to receipt of all appropriate agency approvals and/or permits.
2. All standing trees within the 50' buffer area shall be retained.
3. The maximum number of lots within the expansion area shall be 81.
4. The camping season shall be from April 1 to October 1.
5. There shall be no storage of campers or recreational vehicles during the off-season.

M 136 95
(con't)

6. There shall be no storage buildings in the expansion area.
7. The maximum number of campsites in the expansion area shall not exceed 81 sites. The combined total number of campsites within the existing area and the expansion area shall not exceed 226 sites.

Motion Adopted: 4 Yea, 1 Absent.

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

Findings
of Fact

The findings of fact and the recommendations of the Planning and Zoning Commission were incorporated into the record and into the findings of fact of the Council. The Council found that the Change of Zone was appropriate legislative action in that it promotes the health, safety, moral, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County.

Public
Hearing
CDBG
Program

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 for a grant under the provisions of the Community Development Act of 1977. The primary objective of the Community Development Program is the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income.

In accordance with Section 106 (d) (2) (D) of the Housing and Community Development Act of 1974, as amended, Sussex County Council will readopt a three (3) year Community Housing and Development Plan.

The following projects will be submitted to the State of Delaware Division of Housing for funding:

Application No. 1:

Selbyville/ Belltown/ West Rehoboth/Coverdale	\$246,000	Housing Rehab/Hookups
Ellendale	24,000	Housing Rehab
Blades	40,000	Housing Rehab/ Demolition
Selbyville (Incorporated)	69,000	Housing Rehab
Scatter Site	233,000	Housing Rehab
Administration	88,000	

Public
Hearing
(con't)

Application No. 2:

Milford 95,000 Housing Rehab

Application No. 3:

Greenwood 70,000 Housing Rehab

Application No. 4:

Bridgeville 157,000 Housing Rehab

Application No. 5:

Georgetown 180,000 Demolition/Relocation/
Infrastructure

Application No. 6:

Milton 20,000 Housing Rehab
120,000 Infrastructure

Application No. 7:

Laurel 105,000 Housing Rehab

The Public Hearing was closed.

Proposed
Resolu-
tion

Mr. Stickels, County Administrator, reviewed the Proposed Resolution entitled "ENDORISING PROJECTS TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING ROBERT L. STICKELS, COUNTY ADMINISTRATOR, TO SUBMIT APPLICATIONS".

M 137 95
Adopt
Resolu-
tion
No.
R 009 95

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Resolution No. R 009 95 entitled "ENDORISING PROJECTS TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING ROBERT L. STICKELS, COUNTY ADMINISTRATOR, TO SUBMIT APPLICATIONS".

Motion Adopted: 4 Yea, 1 Absent.

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

Proposed
Resolu-
tion

Mr. Stickels, County Administrator, reviewed the Proposed Resolution entitled "ADOPTING THE AMENDED COMMUNITY HOUSING AND DEVELOPMENT PLAN".

M 138 95 A Motion was made by Mr. Cole, seconded by Mr. Stevenson,
Adopt to Adopt Resolution No. R 010 95 entitled "ADOPTING THE
Resolu- AMENDED COMMUNITY HOUSING AND DEVELOPMENT PLAN".
tion

No. Motion Adopted: 4 Yea, 1 Absent.

R 010 95

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

Proposed Mr. Stevenson introduced a Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1
AGRICULTURAL RESIDENTIAL DISTRICT FOR THE RESTORATION OF
CLASSIC VEHICLES WITH RELATED STORAGE AND SALES TO BE
LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN
NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 1.24
ACRES, MORE OR LESS" (Conditional Use No. 1115) filed on
behalf of Thomas and Debbie Paine. The Proposed Ordinance
will be advertised for Public Hearing.

Proposed Mr. Dukes introduced a Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A
B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF
LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY,
CONTAINING 4.81 ACRES, MORE OR LESS" (Change of Zone No.
1258) filed on behalf of Timothy S. Johnson. The Proposed
Ordinance will be advertised for Public Hearing.

M 139 95 A Motion was made by Mr. Cole, seconded by Mr. Stevenson,
Council- to give \$250.00 from Mr. Cole's Councilmanic Account to the
Grant City of Rehoboth Beach Police Department for the purchase of
equipment for the Bicycle Enforcement Unit.

Motion Adopted: 4 Yea, 1 Absent.

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

M 140 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, to
Council- give \$200.00, \$100.00 from Mr. Cole's Councilmanic Account
Grant and \$100.00 from Mr. Collins' Councilmanic Account, to the
Slammers ASA Softball Team for expenses associated with
travelling to and competing in tournaments.

Motion Adopted: 4 Yea, 1 Absent.

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

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M 141 95 A Motion was made by Mr. Stevenson, seconded by Mr. Collins, Councilmanic Grant to give \$500.00 from Mr. Stevenson's Councilmanic Account to the Georgetown Little League for 1995 operating expenses.

Motion Adopted: 4 Yea, 1 Absent.

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

M 142 95 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, Councilmanic Grant to give \$750.00, \$500.00 from Mr. Dukes' Councilmanic Account and \$250.00 from Mr. Collins' Councilmanic Account, to the Laurel Chamber of Commerce for the July 4th celebration.

Motion Adopted: 4 Yea, 1 Absent.

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

M 143 95 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, Councilmanic Grant to give \$250.00 from Mr. Collins' Councilmanic Account to the Millsboro Chamber of Commerce for the annual Big Thursday event.

Motion Adopted: 4 Yea, 1 Absent.

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

M 144 95 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, Councilmanic Grant to give \$1,000.00 from Mr. Dukes' Councilmanic Account to the Laurel Little League for the purchase of bleachers, etc.

Motion Adopted: 4 Yea, 1 Absent.

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

M 145 95 At 11:45 a.m., a Motion was made by Mr. Collins, seconded by Recess Mr. Cole, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

Reconvene Mr. Dukes called Council back into session at 1:30 p.m.

Public Hearing C/U No. 1107 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 REAL ESTATE OFFICE AS AN ACCESSORY USE TO THE DWELLING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 31,654 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1107) filed on behalf of Jerry K. and Victoria A. Leiby. The Public Hearing was closed.

M 146 95 Adopt Ordinance No. 1018 (C/U No. 1107) A Motion was made by Mr. Collins, seconded by Mr. Cole, to Adopt Ordinance No. 1018 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A REAL ESTATE OFFICE AS AN ACCESSORY USE TO THE DWELLING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 31,654 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1107) filed on behalf of Jerry K. and Victoria A. Leiby, with the following conditions:

1. The site plan shall be subject to review and approval by the Planning and Zoning Commission.
2. The office use shall be limited to a Real Estate Office only.
3. One lighted ground sign not exceeding 32 square feet per side or facing may be permitted.

Motion Adopted: 4 Yea, 1 Absent.

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

Findings of Fact The Council found that the Conditional Use was appropriate legislative action based upon the following findings of fact:

1. The applicant established by substantial evidence that a community need will be served by the proposed use, without adverse impact on the character of the neighborhood, property values therein, traffic, or the environment in the area.
2. The Council found that the Conditional Use is generally of a public or semi-public character and is essential and desirable for the general convenience and welfare of the inhabitants of Sussex County.
3. The Council found that the Conditional Use meets the purposes and goals of the Comprehensive Land Use Plan.

Findings (con't) 4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing C/U No. 1108 A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR EXPANSION OF CONDITIONAL USE NO. 1066 FOR AN ADDITIONAL GO-CART TRACK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3,527 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1108) filed on behalf of Fun Sport, Inc. The Public Hearing was closed.

M 147 95 Adopt Ordinance No. 1019 (C/U No. 1108) A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to Adopt Ordinance No. 1019 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR EXPANSION OF CONDITIONAL USE NO. 1066 FOR AN ADDITIONAL GO-CART TRACK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3,527 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1108) filed on behalf of Fun Sport, Inc., with the following conditions:

1. Chain-link fencing at least four feet high shall be installed around the track perimeter.
2. No additional lighting shall be permitted.
3. Maximum number of tracks shall be four (4).
4. Maximum number of go carts shall be forty (40).
5. Operating hours shall be 10:00 a.m. to 12:00 midnight daily.
6. No less than four (4) employees shall be on-site during business hours.
7. Gasoline shall be stored in "UL" approved safety containers and/or as regulated by regulatory agencies.
8. Fire extinguishers shall be located at all refueling stations, in pit areas, and on the track infield at locations no greater than 50' from any go cart anywhere on a track.
9. Noise levels shall not exceed noise decibel levels associated with five (5) horsepower engines, with factory installed mufflers, in new covered go cart vehicles at the time the conditional use was approved.

Motion Adopted: 4 Yea, 1 Absent.

Public Hearing C/Z No. 1253 A Public Hearing was held on the 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 BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 30.97 ACRES, MORE OR LESS" (Change of Zone No. 1253) filed on behalf of RML Enterprises, Inc. The Public Hearing was closed.

M 149 95 Adopt Proposed Ordinance C/Z No. 1253 (Denied) A Motion was made by Mr. Collins, seconded by Mr. Cole, to Adopt the 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 BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 30.97 ACRES, MORE OR LESS" (Change of Zone No. 1253) filed on behalf of RML Enterprises, Inc.

Motion Denied: 4 Nay, 1 Absent.

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

Findings of Fact The Council found that the Change of Zone was not appropriate legislative action based upon the following findings of fact:

1. The applicant failed to establish a need for additional GR land in the area.
2. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing C/Z No. 1254 A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.03 ACRES, MORE OR LESS" (Change of Zone No. 1254) filed on behalf of Donald R. Long and Terry Steele Long. The Public Hearing was closed.

M 150 95 Adopt Ordinance C/Z No. 1254) A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Ordinance No. 1020 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.03 ACRES,

M 150 95 MORE OR LESS" (Change of Zone No. 1254) filed on behalf of
(con't) Donald R. Long and Terry Steele Long.

Motion Adopted: 4 Yea, 1 Absent.

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

Findings of Fact The Council found that the Change of Zone was appropriate legislative action based on the following findings of fact:

1. The Council found that there is other B-1 and C-1 zoning in the area.
2. The Change of Zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

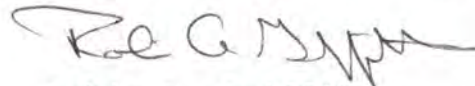
M 151 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, to
Council- give \$400.00, \$200.00 from Mr. Cole's Councilmanic Account
manic and \$200.00 from Mr. Collins' Councilmanic Account, to the
Grant Indian River Odyssey of the Mind Boosters for students' travel and other expenses associated with competing in the World Finals to be held in Knoxville, Tennessee.

Motion Adopted: 4 Yea, 1 Absent.

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

M 152 95 A Motion was made by Mr. Cole, seconded by Mr. Stevenson,
Adjourn to adjourn at 3:03 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council