

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE, MAY 2, 2000

Call to
Order

The regular meeting of the Sussex County Council was held Tuesday, May 2, 2000, at 10:00 a.m. in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Lynn J. Rogers	President
Dale R. Dukes	Vice President
George B. Cole	Member
Finley B. Jones, Jr.	Member
Vance C. Phillips	Member
Robert L. Stickels	County Administrator
David B. Baker	Finance Director
Eugene H. Bayard	County Attorney

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

M 209 00
Approve
Agenda

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to approve the Agenda as presented.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

M 210 00
Approve
Minutes

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to approve the minutes of the April 18, 2000 meeting, as distributed.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Corre-
spondence

Mr. Bayard read the following correspondence:

CAPTAIN ROBERT GLOVER, EXECUTIVE DIRECTOR, KALMAR NYCKEL
FOUNDATION, WILMINGTON, DELAWARE
RE: Thanking Council for their donation of \$1,000.

Sussex
County
Tourism

Mr. Stickels introduced Karen O'Neill and Tony Boyd-Heron, Executive Director and Chairperson, respectively, of the Sussex County Convention and Tourism Commission.

M 211 00
Adopt
Proclama-
tion/
Southern
Delaware
Tourism
Day

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to Adopt the Proclamation entitled "PROCLAIMING MAY 10, 2000, AS 'SOUTHERN DELAWARE TOURISM DAY'".

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Proposed
Ordinance/
Pension
Plan/
EOC &
EMS

Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE AMENDING THE SUSSEX COUNTY ORDINANCE PERTAINING TO THE EMPLOYEE PENSION PLAN BY PROVIDING THAT PARAMEDICS OR EMERGENCY COMMUNICATIONS SPECIALISTS, INCLUDING MANAGEMENT PERSONNEL CERTIFIED IN SUCH SPECIALTIES, MAY RETIRE WITH AT LEAST TWENTY-FIVE (25) YEARS SERVICE, BY PROVIDING THAT EMPLOYEES HIRED AFTER JULY 1, 2000 WILL BE REQUIRED TO HAVE A MAXIMUM OF TWENTY-FIVE (25) OR THIRTY (30) YEARS FOR BENEFITS, AND BY PROVIDING THAT INDIVIDUALS RECEIVING A PENSION MAY BE EMPLOYEED PART-TIME FOR NO MORE THAN 520 HOURS PER YEAR". The Proposed Ordinance will be advertised for a Public Hearing on June 6, 2000.

Airport
T-Hangar
Lease

Mr. Stickels discussed the following proposed T-Hangar Lease located at the Sussex County Industrial Airpark:

1. Francis P. Martin and Bruce Schimmel

Term - One Year

Amount - \$3,000

Location - T-Hangar #5

M 212 00
Authorize
Airport
T-Hangar
Lease

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to authorize the Sussex County Council President to enter into a lease agreement with Francis P. Martin and Bruce Schimmel, of Milton, Delaware, for T-Hangar No. 5 located at the Sussex County Industrial Airpark.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

County
Adminis-
trator's
Report

Mr. Stickels read the following information contained in his County Administrator's Report:

1. South Coastal Regional Wastewater Treatment Facility

Mr. Stickels informed the Council that the United States Environmental Protection Agency (EPA) has selected the South Coastal Regional Wastewater Treatment Facility to receive the EPA's Operation and Maintenance Excellence Award for EPA's Region III. A ceremony will take place at 11:30 a.m. at Delaware Technical & Community College in the Environmental Training Center, Owens Campus, Georgetown, Delaware, on May 11. Mr. Stickels encouraged Council members to attend this prestigious ceremony.

This award reflects great credit upon not only Heather Sheridan and Loran George, but the entire staff at the South Coastal Facility. Mr. Stickels stated that the award demonstrates Sussex County's commitment to maintaining a clean environment.

2. Quarterly Report, First Quarter 2000 - Delaware State Police

The following hours of duty and enforcement were performed by the Delaware State Police in Sussex County during the first quarter of 2000:

	<u>T-4</u>	<u>T-5</u>	<u>T-7</u>
Total Hours on Duty	14,078	15,586	18,066
Hours Assisted Other Agencies	96	74	49.50
Total Traffic Arrests	3,624	3,107	3,384
Total DUI's	80	120	122

Accident Reports:

Property Damage	174	200	267
Personal Injury	<u>55</u>	<u>68</u>	<u>73</u>
Total Accident Reports	229	268	340

Criminal Arrests: Felony	45	47	149
Misdemeanor	<u>213</u>	<u>328</u>	<u>620</u>
Total Criminal Arrests	258	375	769

Total 10-29 P's (wanted persons)	145	115	151
Total Number of Complaints	1,934	3,158	3,727

(Con't.)

3. Pierson Construction v. Board of Adjustment

On April 3, 2000, Superior Court Judge Henley Graves signed a dismissal of the suit of Pierson Construction v. Board of Adjustment. Pierson Construction had applied for a special use exception to operate an asphalt plant in the Milford/Lincoln area and was denied by the Board of Adjustment. Pierson then appealed this decision to the Delaware courts and has since withdrawn their suit.

4. Sussex County Prayer Breakfast

The 23rd Annual Sussex County Council Prayer Breakfast will be held on Monday, May 15, 2000, at 7:30 a.m. at the William Carter Partnership Center, Delaware Technical & Community College, Owens Campus, Georgetown, Delaware. This year's speaker will be Reverend Ray Chamberlain of the Delmarva Evangelistic Church. Tickets are available in the County Council Office and may be purchased for a cost of \$10.00 per ticket.

5. County Student Government Day

The Sussex County Council will be hosting County Student Government Day on Thursday, May 4, 2000. High school students, who are in their junior year of school, will participate in a mock County Council meeting. The media, as well as the public, is welcome to attend.

Proposed
Balancing
Change
Order/
Sussex
County
Project
No. 99-21

Mr. Hawkes, Director of Utility Engineering, appeared before Council regarding the final balancing change order for the South Bethany Sewer Pipeline Renovation project. On February 8, 2000, Council gave their approval of this project, which included a relatively new technology for repairing existing pipe, using a pipe liner. Mr. Hawkes reported that this new technology was successful and substantial savings were realized by the County over the conventional open-cut method of repair. The contract for this project was a unit cost contract and further cost was incurred for an additional lateral and an extra foot of pipe.

M 213 00
Approve
Final
Balancing
Change
Order/
Sussex
County
Project
No. 99-21

A Motion was made by Mr. Jones, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council approve the final balancing change order to the contract with TRB Specialty Rehabilitation for Sussex County Project No. 99-21 entitled, "South Bethany Sewer Line Renovation", thereby increasing the contract amount by \$488.25 from \$65,991 to \$66,479.25.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Proposed
Change
Order/
Sussex
County
Project
EOC-05

Mr. Thomas, Director of Emergency Operations, discussed a proposed change order to Sussex County Project EOC-05, which was awarded by the Council on November 30, 1999 to Caldabaugh Communications for the purchase of equipment for a Paging System for the Fire Service in Sussex County. In bidding the project, an oversight occurred by the Communications Support Section, which has resulted in the need to purchase 5 Antenna Relays for the 5 Transmitters at the EOC's tower sites.

M 214 00
Approve
Change
Order/
Sussex
County
Project
EOC-05

A Motion was made by Mr. Dukes, seconded by Mr. Jones, that the Sussex County Council approve the change order for Sussex County Project EOC-05 with Caldabaugh Communications for the purchase of 5 Antenna Control Relays at a total cost of \$2,130.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Beneficial
Acceptance
Mill Pond
Acres

Mr. Green, Director of Utility Construction, presented Council with a Fact Sheet regarding the beneficial acceptance for the project known as Mill Pond Acres, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 215 00

A Motion was made by Mr. Cole, seconded by Mr. Jones, based upon the recommendation of the Sussex County Engineering

M 215 00
(Con't.)
Grant
Beneficial
Acceptance
Mill Pond
Acres

Department, that the Sussex County Council grant "Beneficial Acceptance" for Sussex County Project No. 81-04, Agreement No. 170, Mill Pond Acres, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Consultant
Selection/
Milton
Library

Mr. Izzo, County Engineer, presented for Council's consideration the Consultant Selection Team's recommendation for a consultant for the proposed expansion to the Milton Public Library Building. As proposed, this project would have a budget of approximately \$600,000, with \$300,000 to be provided in the form of a State grant and the County providing a \$300,000 match. This project would include an approximately 5,000 square foot addition to expand actual library space, including a multi-purpose community room and storage area. A request for proposal was submitted to various architects throughout the State and was advertised publicly. The Selection Team, consisting of Mr. Izzo, Mr. Brad Hawkes (Project Manager), Mr. Brian Page (Historical Preservation Planner), Ms. Leah Betts (Town of Milton), and Carol Fitzgerald (County Librarian) reviewed the three bids that were submitted, none of which were from Sussex County. The three firms were interviewed and ranked.

M 216 00
Approve
Consultant
Selection/
Milton
Library
Addition

A Motion was made by Mr. Jones, seconded by Mr. Dukes, based upon the recommendation of the Consultant Selection Team that Weymouth Architects and Planners be selected to provide consulting services for a proposed expansion to the Milton Public Library Building.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Red Mill
Pond
North/5
Points
North

Mr. Izzo, County Engineer, reviewed two proposed balancing change orders relating to the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, in particular the Phase

Balancing
Change
Order

III construction process. Final change order approval is being requested for Contract WIII-2 Red Mill Pond North, and Contract WIII-3 Five Points North.

M 217 00
Approve
Balancing
Change
Order/
Red Mill
Pond
North

A Motion was made by Mr. Jones, seconded by Mr. Dukes, based on the recommendation of the Consulting Engineer, George, Miles & Buhr, LLP and the Sussex County Engineering Department, that the balancing change order for Sussex County Project No. 96-03, Contract WIII-2 Red Mill Pond North, be approved in the amount of \$23,633.08, thereby establishing the final contract amount as \$4,827,745.08.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

M 218 00
Approve
Balancing
Change
Order/
Five
Points
North

A Motion was made by Mr. Jones, seconded by Mr. Dukes, based on the recommendation of the Consulting Engineer George, Miles & Buhr, LLP and the Sussex County Engineering Department, that the balancing change order for Sussex County Project No. 96-03, Contract WIII-3 Five Points North be approved in the credit amount of \$21,378.59, thereby establishing the final contract amount as \$2,377,151.23.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Eng. Staff
Praised

Mr. Stickels complimented the Engineering Department, in particular Mr. Izzo and Mr. Green, and the consulting engineer, George Miles and Buhr, for their efforts in regard to cost containment for these types of projects.

Proposed
Ordinance

Mr. Jones introduced a 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 7.1 ACRES, MORE OR LESS" (C/Z No. 1407) filed on

(Con't)

behalf of Preston A. Schell. The Proposed Ordinance will be advertised for a Public Hearing.

M 219 00
Council-
manic
Grant/
IRHS

A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$500 from Mr. Cole's Councilmanic Account to the Indian River High School to be used for the construction of a new weight room at the high school.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

M 220 00
Council-
manic
Grant/
St.
Martha's
Episcopal
Church

A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$500 from Mr. Cole's Councilmanic Account to St. Martha's Episcopal Church for the development and use of a 54-acre tract donated by Mrs. Mary Lighthipe.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Mr. Cole/
Constituent
Concern/
CMF
Bayside
Public
Hearing

Mr. Cole reported that he had received a letter from a constituent in response to the recent Public Hearing held on April 4, 2000 for Change of Zone No. 1393 filed on behalf of CMF Bayside, L.L.C. This letter expressed concern for the extreme length of time that was involved for the actual public hearing. Mr. Cole requested that Mr. Stickels and Mr. Lank investigate possible guidelines or procedures, if any, that could be developed to help streamline public hearing proceedings, making them more efficient and equitable to both the applicant and opponents.

M 221 00
Council
Grant/
Minority
Action
Committee

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to give \$500 from County Council Grants to the Minority Action Committee to be used to help fund two college scholarships for minority students in the IRSD for the Fall of 2000.

Motion Adopted: 5 Yea.

M 221 00
(Con't.)

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

M 222 00
Council
Grant/
March of
Dimes

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to give \$750 from County Council Grants to the March of Dimes to support their upcoming fundraising event, "WalkAmerica".

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

M 223 00
Council-
manic
Grant/
Sussex
Central
Pop
Warner
Football

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$400 (\$200 each from Mr. Jones' and Mr. Phillips' Councilmanic Accounts) to Sussex Central Pop Warner Football to be used for the construction of a new facility.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Recess

At 10:58 a.m., Mr. Rogers recessed the Council meeting until 1:30 p.m.

Reconvene

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

Public
Hearing/
Proposed
Ordinance
Relating
to Off-
street
Parking

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY IN ORDER TO CLARIFY THE OFF-STREET PARKING REQUIREMENTS FOR APARTMENTS". The Planning and Zoning Commission recommended approval of this Ordinance on April 13, 2000. There were no public comments in support or in opposition to this Ordinance. The Public Hearing was closed.

M 224 00
Adopt
Ord. No.
1371

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to Adopt Ordinance No. 1371 entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY IN ORDER TO CLARIFY THE OFF-STREET PARKING REQUIREMENTS FOR APARTMENTS.

M 224 00
(Con't.)
Off-
Street
Parking
for
Apartments

Motion Adopted: 4 Yea; 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Absent*; Mr. Dukes, Yea;
Mr. Rogers, Yea

*Mr. Jones was not present during the vote on this Ordinance.

Public
Hearing
(C/U No.
1332)

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI FAMILY DWELLING STRUCTURE (4 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 14,997 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1332) filed on behalf of Fred and Sara Decusatis. The Planning and Zoning Commission recommended approval of this application, with one stipulation, on April 13, 2000. There were no public comments in support or in opposition to this application. The Public Hearing was closed.

M 225 00
Adopt
Ord. No.
1372
(C/U No.
1332)

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Ordinance No. 1372 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI FAMILY DWELLING STRUCTURE (4 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 14,997 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1332) filed on behalf of Fred and Sara Decusatis, with the following condition:

- (1) The site plan is subject to review and approval of the Planning and Zoning Commission.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Findings
of Fact

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

(Con't.)
Findings
of Fact
(C/U No.
1332)

1. The applicant established that the proposed use will replace a preexisting, possibly nonconforming use consisting of 3 and sometimes 4 residential units, now in a dilapidated condition.
2. The proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan, and if it were located in the Town of Dewey Beach, would be consistent with that Plan as well.
3. There is no adverse impact of any sort created by this use; in fact, the impact of the existing use will be reduced by the proposed use.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public
Hearing
(C/Z No.
1402)
Public
Hearing
Closed/
Record
Left
Open

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 MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT - RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 106.68 ACRES, MORE OR LESS" (Change of Zone No. 1402) filed on behalf of Blenheim Lands L.L.C. The Planning and Zoning Commission recommended approval of this application on April 13, 2000 based on the record submitted by the applicant. No persons were present in support of the application. Public comments in opposition of the application were heard. Concerns expressed focused on the stub road connection to Dove Knoll; interconnection of Melson Road and streets within Dove Knoll; opposition to ingress and egress connections to Midway Park and Dove Knoll Subdivisions; increased traffic congestion on Route 1; the proposed density; impact on Midway Park by the proposed bike path; the negative impact on wetlands; Tidewater Utility's ability to support the water needs of this application; impact on water quality; questioning the need to expand the County's sewer and water systems; and requesting that references to the Grid Study Road noted on the site plan be removed. The Public Hearing was closed. The record was left open to allow Mr. Lank the opportunity to direct a letter to T. William Brockenbrough, Jr., County Coordinator with the Department of Transportation, asking for clarification and an explanation of his letter of April 6, 2000. Public comments will be received, in writing, for a

(Con't.)

period of 15 days after the County receives Mr. Brockenbrough's response to allow the public ample opportunity to respond to his letter. Mr. Lank was instructed to notify those persons in attendance today when Mr. Brockenbrough's response has been received.

Public
Hearing
(C/U No.
1331)

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 USED CAR SALES FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 1.28 ACRES, MORE OR LESS" (Conditional Use No. 1331) filed on behalf of Gene M. Smith, Sr. The Planning and Zoning Commission recommended approval of this application on April 13, 2000, with stipulations. There were no public comments in support of or in opposition to this application. The Public Hearing was closed.

M 226 00
Adopt
Ord. No.
1373
(C/U No.
1331)

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Ordinance No. 1373 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A USED CAR SALES FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 1.28 ACRES, MORE OR LESS" (Conditional Use No. 1331) filed on behalf of Gene M. Smith, Sr., with the following conditions:

- (1) The site plan submitted to the Planning and Zoning Commission shall reflect an area for off-street parking and a turn-around.
- (2) A directional sign, with an arrow to the parking, shall be placed at the entrance to the site.
- (3) "No Parking" signs shall be placed along the property frontage along Route 404.
- (4) Business hours shall be from 8:00 a.m. to 5:00 p.m. Monday through Saturday, with no Sunday hours.
- (5) Security lighting, if installed, shall be directed toward the property, so as not to impact neighboring properties and travelling motorist.

(Con't.)

- (6) The maximum number of vehicles to be displayed for sale shall be six (6) at any one time. No other vehicles shall be stored on the site, except for personal vehicles.
- (7) There shall be no repair work performed on any vehicles, other than personal vehicles and vehicles for sale.
- (8) The site plan shall be subject to review and approval by the Planning and Zoning Commission.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Jones, Yea; Mr. Dukes, Yea;
Mr. Rogers, Yea

Findings
of Fact
(C/U No.
1331)


The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant established by substantial evidence that the proposed will have no significant adverse impact of any sort and will tend to serve the community need, consistent with the purposes and goals of the Comprehensive Land Use Plan.
2. The findings of fact and recommendations of Planning and Zoning are incorporated herein.

M 227 00
Adjourn

At 4:07 p.m., a Motion was made by Mr. Phillips, seconded by Mr. Dukes, to adjourn. Motion Adopted by Voice Vote.

Respectfully submitted,


Nancy J. Cordrey
Assistant Clerk of the County Council