

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 5, 1998

Call to
Order

The regular meeting of the Sussex County Council was held Tuesday, May 5, 1998, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
Finley B. Jones, Jr.	Vice President
George B. Cole	Member
Lynn J. Rogers	Member

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

M 195 98
Approve
Agenda

A Motion was made by Mr. Rogers, seconded by Mr. Jones, to approve the Agenda, as presented.

Motion Adopted: 4 Yea, 1 Absent.

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

M 196 98
Amend
and
Approve
Minutes

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to amend the minutes of April 28, 1998, Page 9, Motion No. M 190 98, correcting the Vote by Roll Call, as follows:

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

and;

to approve the minutes of April 28, 1998, as amended.

Motion Adopted: 4 Yea, 1 Absent.

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

Corre-
spondence

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

THOMAS N. MERCER, C.A.A., DIRECTOR OF ATHLETICS, TROY TROJANS,
TROY HIGH SCHOOL, TROY, OHIO.

RE: 1997 Slam Dunk To The Beach Tournament.

ROBERTA NEILSON, TOWN MANAGER, TOWN OF DELMAR, DELMAR, DELAWARE.

RE: Letter in appreciation of the County sending Rob Davis on a recent bus trip to Washington, D.C. to rally for water issues.

Corre- ELLA MAE HANDY, SELBYVILLE, DELAWARE.
spondence RE: Letter in appreciation of the funding provided through
(con't) Community Development and Housing for improvements to her home.

ALFRED CANNON, SR., PRESIDENT, SUSSEX COUNTY CHAPTER, NATIONAL
FEDERATION OF THE BLIND, GEORGETOWN, DELAWARE.
RE: Request for financial assistance.

THE 1998 INDIAN RIVER ODYSSEY OF THE MIND TEAMS, INDIAN RIVER
SCHOOL DISTRICT, SELBYVILLE, DELAWARE.
RE: Request for financial assistance.

DALE W. STEELE, ATHLETIC DIRECTOR, INDIAN RIVER HIGH SCHOOL,
FRANKFORD, DELAWARE.
RE: Letter in appreciation of Councilmanic Grant.

Literacy Ms. Carol Fitzgerald, Director of County Libraries, presented
Award to Council, on behalf of the State of Delaware, the "Outstanding
Adult/Family Literacy Achievement Award".

Literacy Mr. Stickels, County Administrator, discussed a literacy grant
Grant application to be submitted to the Delaware Department of
Applica- Education for Project READS in the amount of \$8,569.00. Project
tion READS is Sussex County Department of Libraries' volunteer
reading tutorial program. This grant will provide funds for
recruitment materials, student and tutor materials, training,
staff development and recognition.

M 197 98 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to
Authorize authorize the County Administrator to apply for a grant in the
Literacy amount of \$8,569.00 to the Delaware Department of Education for
Grant for Project READS.

Applica- Motion Adopted: 4 Yea, 1 Absent.

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

Adminis- Mr. Stickels, County Administrator, read the following informa-
trator's tion in his County Administrator's Report:
Report

1. Delmarva Properties, Inc. - Change of Zone No. 1145

Please be advised that the residential planned community
overlay zone for Delmarva Properties, Inc., has been voided
by the Planning and Zoning Office for lack of development.
The ownership of this property has also changed. Since the
change of zone was granted, the property has been sold to
the State of Delaware.

Adminis-
trator's
Report
(con't)

This project was known as Woodland Crossing and was approved for 560 dwelling units with a golf course by Ordinance No. 807. The property lies on the northwest and southeast side of Road 490A, north of Route 78 and east of the Nanticoke River. The project totaled 475.22 acres, plus or minus.

2. FY `99 Budget

As required by Delaware Code, Title 9, Chapter 70, § 7003, paragraph (d), subparagraph (5), I will submit the proposed FY `99 budget on Tuesday, May 19, 1998. A special press briefing will be held in the Council Chambers for the media at 8:00 a.m. on the nineteenth. The formal presentation to the public and the County Council will be at 10:00 a.m. on the same day. The public hearing for the budget will be held on Tuesday, June 16, 1998, at 10:30 a.m.

Airport
Block
Hangar
Lease

Mr. Calio, Director of Economic Development and Industrial Airpark, presented for Council's consideration a Proposed Lease with American Aerospace. American Aerospace is interested in entering into a lease for a block hangar at the Sussex County Airport. The lease will be for five years, with two five year renewal options; rent will be \$500.00 per month for the first year, thereafter the rent may increase annually based on the Consumer Price Index. American Aerospace provides charter flying and operates a flight school.

M 198 98
Authorize
Lease
Agree-
ment/
American
Aero-
space

A Motion was made by Mr. Rogers, seconded by Mr. Jones, to authorize a Lease Agreement with American Aerospace for an airport block hangar building at the Sussex County Airport; the lease will be for five years with two five year options beginning at \$500.00 per month during the first year, and thereafter to be increased annually based on the Consumer Price Index; the lease will be subject to the approval of the County Attorney and the Finance Director.

Motion Adopted: 4 Yea, 1 Absent.

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

Western
Sussex
Sewer
and
Water
Planning
Study

Mr. Archut, Assistant County Engineer, presented the final draft of the Western Sussex Sewer and Water Planning Study. On October 24, 1995 Sussex County Council authorized the firm of Whitman, Requardt and Associates, LLP to conduct a comprehensive water and wastewater planning study of the property along the U.S. Route 13 Corridor in Sussex County. The period of study is from a base year of 1995 to future projections in the Year 2020. Towns included in the study

Planning Study (con't)

are Greenwood, Bridgeville, Seaford, Blades, Laurel and Delmar. This plan was developed to serve as a Town/Sussex County intergovernmental planning tool whereby potential developments can be directed to the appropriate municipality for water or sewer service. The purpose of this plan is to identify the existing water and sewer infrastructure available along the Route 13 Corridor, and evaluate the ability to serve potential growth areas as defined by the 1997 Sussex County Comprehensive Plan. A secondary purpose of the plan is to list small community wastewater systems for areas that fall outside of the designated service areas as defined by the Comprehensive Plan. The final draft will be presented to the Western Sussex Water and Wastewater Study Advisory Committee for approval on Tuesday evening, May 5, 1998; upon approval by the Committee, the plan will then be presented to Council for formal adoption.

Public Hearing/ Sub-division Appeal/ Mike Mock

A Public Hearing was held on an appeal of the Sussex County Planning & Zoning Commission's decision to deny an application of Mike Mock for the subdivision of land in a C-1 General Commercial and AR-1 Agricultural Residential Zoning District in Lewes and Rehoboth Hundred by dividing 5.68 acres into eleven (11) lots, located northeast of Road 268, 500 feet north of Delaware Route One. The County Council reviewed the record of the Planning & Zoning Commission; the Planning & Zoning Commission denied this application "since there are still problems with the entrance and traffic concerns". Public comments were heard and the Public Hearing was closed. It was noted that evidence exists regarding the concerns of the Planning & Zoning Commission.

M 199 98 Remand Sub-division Application to Planning & Zoning Commission

A Motion was made by Mr. Rogers, seconded by Mr. Jones, to remand to the Planning and Zoning Commission the application of Mike Mock for the subdivision of land in a C-1 General Commercial and AR-1 Agricultural Residential Zoning District in Lewes and Rehoboth Hundred (Subdivision No. 98-3).

Motion Adopted: 4 Yea, 1 Absent.

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

Bid Results/ Red Mill Pond South/ Phase III/ West Rehoboth

Mr. Izzo, County Engineer, reviewed bid results for Contract III-1, Red Mill Pond South, for Phase III of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, as follows:

Contractor	Alt. 1 Wage Rates	Alt. 2 No Wage Rates
Teal Construction, Inc.	\$5,088,088.00	\$4,848,848.00
L. A. Merrell Con., Inc.	\$5,582,067.79	\$4,868,774.32

Bid Results (con't)	Contractor	Alt. 1	Alt. 2
		Wage Rates	No Wage Rates
	George & Lynch, Inc.	\$5,769,436.20	\$5,662,649.45
	Joao & Bradley, Inc.	\$6,118,687.00	\$6,118,687.00
	Engineers Estimate	\$4,927,351.80	\$4,434,616.22

Mr. Izzo advised that although the low bid exceeds the engineers' estimate, sufficient funds for the project are available in the contingency allocation.

M 200 98 Award Bid/ Red Mill Pond South/ Phase III/ West Rehoboth A Motion was made by Mr. Cole, seconded by Mr. Jones, based on the recommendation of the Consulting Engineers, George, Miles and Buhr, and the County Engineering Department, that Contract III-I, Red Mill Pond South, for Phase III of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District be awarded to the low bidder, Teal Construction, Inc., and that the Council President and the Clerk of the County Council be authorized to execute a construction contract with Teal Construction, Inc. for its Alternate No. 2 bid in the amount of \$4,848,848.00, contingent upon the review and approval of the contract bid documents by the Delaware Department of Natural Resources and Environmental Control and/or the Rural Utility Service of the United States Department of Agriculture.

Motion Adopted: 4 Yea, 1 Absent.

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

Proposed Ordinance Mr. Cole 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 C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 15.992 ACRES, MORE OR LESS" (Change of Zone No. 1339) filed on behalf of State of Delaware (Department of Transportation). The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Jones introduced 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 GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.0 ACRES, MORE OR LESS" (Conditional Use No. 1249) filed on behalf of Peter A. Economos. The Proposed Ordinance will be advertised for Public Hearing.

M 201 98 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$200.00, \$100.00 each from Mr. Cole's and Mr. Jones' Councilmanic Accounts, to the 1998 Indian River Odyssey of the Mind Teams (check to be made payable to O.M. Boosters) for expenses to be incurred at the Worlds Finals competition

Motion Adopted: 4 Yea, 1 Absent.

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

M 202 98 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$250.00 from Mr. Cole's Councilmanic Account to Rehoboth Beach Main Street for a fireworks display on July 5, 1998.

Motion Adopted: 4 Yea, 1 Absent.

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

M 203 98 Councilmanic Grant A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$150.00 from Mr. Jones' Councilmanic Account to the American Cancer Society for the fund-raising event "Relay for Life".

Motion Adopted: 4 Yea, 1 Absent.

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

M 204 98 Councilmanic Grant A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$500.00, \$100.00 from each Councilmanic Account, to the Sussex County Veterans Council to place flags on graves of Veterans on Memorial Day.

Motion Adopted: 4 Yea, 1 Absent.

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

M 205 98 Councilmanic Grant A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$1,000.00, \$200.00 from each Councilmanic Account, to the Sussex County Chapter, National Federation of the Blind of Delaware, for delegates to attend the NFB National Convention.

M 205 98 (Mr. Jones' Councilmanic Account does not have sufficient funds to cover this grant; Mr. Dukes' contribution is to be increased by the amount of the deficiency.)
(con't)

Motion Adopted: 4 Yea, 1 Absent.

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

M 206 98 At 11:55 a.m., a Motion was made by Mr. Rogers, seconded by
Recess Mr. Jones, 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 A Public Hearing was held on the Proposed Ordinance entitled
(C/U "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR
No. 1237) MEDIUM DENSITY RESIDENTIAL DISTRICT FOR EXPANSION TO AN
EXISTING PRIVATE CLUB BUILDING TO UPGRADE KITCHEN AND STORAGE
AREAS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND
BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 11.19
ACRES, MORE OR LESS" (Conditional Use No. 1237) filed on be-
half of Mason Dixon VFW Post #7234. The Public Hearing was
closed.

M 207 98 A Motion was made by Mr. Cole, seconded by Mr. Rogers, to
Adopt Ordinance No. 1229 entitled "AN ORDINANCE TO GRANT A
CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL
DISTRICT FOR EXPANSION TO AN EXISTING PRIVATE CLUB BUILDING
(C/U TO UPGRADE KITCHEN AND STORAGE AREAS TO BE LOCATED ON A
No. 1237) CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED,
SUSSEX COUNTY, CONTAINING 11.19 ACRES, MORE OR LESS" (Condi-
tional Use No. 1237) filed on behalf of Mason Dixon VFW Post
#7234, with the following conditions:

1. The site plan shall be subject to the review and approval of the Planning and Zoning Commission upon receipt of all appropriate agency approvals and/or permits.
2. The use shall include and involve kitchen, office and storage space only.

Motion Adopted: 4 Yea, 1 Absent.

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

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

Findings
of Fact
(con't)

1. The applicant established by substantial evidence that the proposed use will enable it to provide adequate kitchen office and storage without impact of any sort on the neighboring area.
2. The proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public
Hearing
(C/U
No. 1238)

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 13 MULTI-FAMILY DWELLING UNITS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.48 ACRES, MORE OR LESS" (Conditional Use No. 1238) filed on behalf of Tom Ford and George Raab. The Public Hearing was closed.

M 208 98
Adopt
Ordinance
No. 1230
(C/U
No. 1238)

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Ordinance No. 1230 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR 13 MULTI-FAMILY DWELLING UNITS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.48 ACRES, MORE OR LESS" (Conditional Use No. 1238) filed on behalf of Tom Ford and George Raab, with the following conditions:

1. The maximum number of units shall be thirteen (13).
2. All structures shall be built on pilings with two (2) parking spaces below each unit.
3. A 50' buffer shall be maintained from State wetlands.
4. An evergreen buffer shall be provided along the southerly property line with Cape Windsor.
5. No boat ramp shall be permitted.
6. A tot-lot play area shall be provided on the site.
7. The site plan shall be subject to review and approval by the Planning and Zoning Commission upon receipt of all appropriate agency approvals.

Motion Adopted: 4 Yea, 1 Absent.

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

Findings of Fact 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 use will serve a growing demand for additional multi-family housing without adverse impact of any sort upon neighboring communities or roadways.
2. The proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing (C/U No. 1239) A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR TWO APARTMENTS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 35,000 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1239) filed on behalf of Maplewood Dental Associates. The Public Hearing was closed.

M 209 98 Adopt Ordinance No. 1231 (C/U No. 1239) A Motion was made by Mr. Jones, seconded by Mr. Rogers, to Adopt Ordinance No. 1231 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR TWO APARTMENTS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 35,000 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1239) filed on behalf of Maplewood Dental Associates, with the following conditions:

1. Each apartment will be restricted to one-family occupancy.
2. The site plan shall be subject to review and approval by the Planning and Zoning Commission upon receipt of all appropriate agency approvals and/or permits.

Motion Adopted: 4 Yea, 1 Absent.

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

Findings of Fact 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 use will serve a growing demand for additional affordable housing in the area, without adverse impact of any sort on the neighboring area.

Findings
of Fact
(con't)

2. The proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public
Hearing
(C/U
No. 1240)

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 AUTOMOTIVE REPAIRS AND AUTOMOTIVE SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.17 ACRES, MORE OR LESS" (Conditional Use No. 1240) filed on behalf of Wilson M. Cullum and Alberta M. Cullum, Trustees. The Public Hearing was closed.

M 210 98
Adopt
Ordinance
No. 1232
(C/U
No. 1240)

A Motion was made by Mr. Rogers, seconded by Mr. Jones, to Adopt Ordinance No. 1232 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AUTOMOTIVE REPAIRS AND AUTOMOTIVE SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.17 ACRES, MORE OR LESS" (Conditional Use No. 1240) filed on behalf of Wilson M. Cullum and Alberta M. Cullum, Trustees, with the following conditions:

1. No more than six (6) vehicles may be displayed at any one time.
2. One (1) unlighted 4' by 8' two-sided ground sign may be permitted.
3. A solid wood fence or chain-link type fencing with privacy strips shall be required across the rear yard behind the building. The fence shall be set back a minimum of ten (10) feet from the rear property line. Trees shall be planted between the fence and the rear property line. Fencing and tree planting shall be accomplished within 90 days.
4. Compressors for air operated equipment shall be inside of the building on the Route 9 side of the building.
5. No auto body work or painting shall be permitted.
6. All repair work shall be performed inside of the building.
7. Business hours shall be limited to 8:00 a.m. to 5:00 p.m. six days per week, with no Sunday hours.
8. The site plan shall be subject to review and approval by the Planning and Zoning Commission upon receipt of all appropriate agency approvals.

M 210 98 Motion Adopted: 4 Yea, 1 Absent.
(con't)

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

Findings of Fact 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 use will, with the eight conditions imposed by the Planning and Zoning Commission, have no impact on the neighboring area.
2. The proposed use is not inconsistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing
(C/Z
No. 1335)

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 AND A C-1 GENERAL COMMERCIAL DISTRICT TO A GR GENERAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 22,010 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1335) filed on behalf of Curtis E. Williams, Jr. and Charlene M. Williams. The Public Hearing was closed.

M 211 98
Adopt
Ordinance
No. 1233
(C/Z
No. 1335)

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to Adopt Ordinance No. 1233 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A C-1 GENERAL COMMERCIAL DISTRICT TO A GR GENERAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 22,010 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1335) filed on behalf of Curtis E. Williams, Jr. and Charlene M. Williams.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Collins, Absent; Mr. Jones, 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 applicant established by substantial evidence that the change of zone is corrective in nature, bringing the

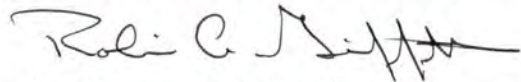
Findings
of Fact
(con't)

property into zoning conformity with its neighborhood,
without adverse impact of any sort.

2. The change of zone is consistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

M 212 98 A Motion was made by Mr. Cole, seconded by Mr. Jones, to
Adjourn adjourn at 2:30 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council