

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 17, 1994

Call to  
Order

The regular meeting of the Sussex County Council was held Tuesday, May 17, 1994, 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 197 94  
Approve  
Minutes

A Motion was made by Mr. Collins, seconded by Mr. Cole, to approve the minutes of the previous meeting dated May 10, 1994. Motion Adopted by Voice Vote.

Corre-  
spondence

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

MILFORD MEMORIAL HOSPITAL, MILFORD, DELAWARE.  
RE: Spring 1994 newsletter entitled "The Monitor".

DEAN R. CONAWAY, PRESIDENT, LAUREL WRESTLING CLUB, GEORGETOWN, DELAWARE.  
RE: Appreciation for Mr. Dukes' Councilmanic Grant.

GEORGE T. BEAUCHAMP, EXECUTIVE DIRECTOR, GREATER SEAFORD CHAMBER OF COMMERCE, SEAFORD, DELAWARE.  
RE: Appreciation for Mr. Stevenson's and Mr. Dukes' Councilmanic Grants.

Compre-  
hensive  
Conser-  
vation  
and  
Manage-  
ment  
Plan  
(CCMP)

Representative John Schroeder and John Schneider of DNREC were present to discuss a draft of a House/Senate Bill entitled "AN ACT TO OVERSEE AND FACILITATE THE IMPLEMENTATION OF A LONG-TERM APPROACH FOR THE WISE USE AND ENHANCEMENT OF THE INLAND BAYS WATERSHED" and to solicit Council's support of the Comprehensive Conservation and Management Plan. For the past five years, the Inland Bays Estuary Program has worked to identify the most serious problems adversely affecting Delaware's Inland Bays and to develop a Comprehensive Conservation and Management Plan (CCMP) that includes strategies to address the problems. The primary purposes of the Act are: (1) to establish a Center for the Inland Bays that will receive and distribute funds to support Inland Bays' watershed wise use and enhancement efforts, (2) to educate users of the Inland Bays to promote stewardship of the Bays and bolster support for voluntary actions, and (3) to encourage restoration and land acquisition efforts

CCMP (con't) in priority areas of the Inland Bays' watershed. Mr. Dukes highlighted several areas of concern in the CCMP document, as distributed. Mr. Schneider acknowledged that the CCMP document is in draft form and revisions will be necessary. No action was taken by Council.

Proposed Proclamation Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation entitled "PROCLAIMING THE WEEK OF MAY 15 THROUGH MAY 21, 1994, AS 'EMERGENCY MEDICAL SERVICES WEEK'".

M 198 94 Adopt Proclamation "EMS WEEK" A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to Adopt the Proclamation entitled "PROCLAIMING THE WEEK OF MAY 15 THROUGH MAY 21, 1994, AS 'EMERGENCY MEDICAL SERVICES WEEK'".

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

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

1. Unnumbered Senate Bill.

AN ACT TO AMEND CHAPTER 64, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE SOLID WASTE AUTHORITY.

Legislation enacted during the 135th General Assembly gave the Solid Waste Authority the power to locate recycling centers "without the need to obtain land use approval". This Act removes that language.

2. House Bill No. 442.

AN ACT TO AMEND CHAPTER 13, 44, AND 63 OF TITLE 9, DELAWARE CODE REQUIRING BUILDING INSPECTORS IN ALL THREE COUNTIES TO BE NATIONALLY CERTIFIED AND AMENDING TITLE 29 OF THE DELAWARE CODE BY PLACING THE CERTIFICATION PROCESS UNDER THE AUSPICES OF THE DIVISION OF PROFESSIONAL REGULATION.

This legislation requires that building inspectors employed by the three counties must be nationally certified by either the Building Officials and Code Administrators International (BOCA) or by the Council of

Legis-  
lative  
Update  
(con't)

American Building Officials (CBO). The certification process for building inspectors will be placed under the auspices of the Director of Professional Regulation.

Amendment No. 1 to this Bill will allow newly hired inspectors one year to obtain certification.

Mr. Stickels has requested that another Amendment be made to this Bill recognizing the Southern Building Code. The Southern Building Code is used by Sussex County.

3. Senate Bill No. 252.

AN ACT TO AMEND SUBCHAPTER II, CHAPTER 29, TITLE 24, DELAWARE CODE RELATING TO REGULATION OF REAL ESTATE APPRAISERS.

This Act would permit municipal and county governments to have assessment and reassessment appraisals performed by individuals other than the limited number of appraisers currently licensed and certified under Subchapter II of Title 29.

Amendment No. 1 to this Bill clarifies current law as to the validity of assessments done for real estate taxes for municipal or county governments. It allows assessments to be done for municipal or county government real estate tax purposes by appraisers who are neither licensed nor certified for tax years commencing prior to August 1, 2004. After this date, appraisals done for municipal or county governments for real estate tax purposes shall be done by licensed or certified appraisers.

4. Senate Bill No. 338.

AN ACT TO AMEND CHAPTER 70 OF TITLE 9 OF THE DELAWARE CODE RELATING TO THE LIMITATION ON SUSSEX COUNTY IN THE PROCUREMENT OF SERVICES AND SUPPLIES.

This Act permits the Director of Finance for Sussex County to procure services or supplies up to \$10,000 without the necessity for public bidding and publication.

5. Senate Bill No. 339.

AN ACT TO AMEND SUBCHAPTER I, CHAPTER 69 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE RENTAL AND PURCHASE OF MOTOR VEHICLES AND EXCEPTIONS THERETO.

Legis-  
lative  
Update  
(con't)

This Act exempts from the public bid requirements of Chapter 69 the acquisition of motor vehicles for Sussex County. Vehicles with a probable cost in excess of \$10,000 would still be publicly bid and purchased under other applicable laws.

6. Senate Bill No. 340.

AN ACT TO AMEND CHAPTER 87 OF TITLE 9 OF THE DELAWARE CODE RELATING TO COLLECTION OF DELINQUENT TAXES AND PROVIDING FOR ATTORNEY FEES INCURRED BY SUSSEX COUNTY TO BE TAXED IN ALL PROCEEDINGS UNDER SUBCHAPTER II THEREOF.

This act authorizes Sussex County to collect attorney's fees incurred by the County in connection with monition sales.

Adminis-  
trator's  
Report

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

1. Sussex County Volunteer Firemen's Association Monthly Meeting

The Selbyville Fire Department will host the Sussex County Volunteer Firemen's Association monthly meeting on Tuesday evening, May 24, 1994, 7:30 p.m., at the Selbyville Fire Hall, Selbyville, Delaware. During the meeting, the County Council will distribute \$197,728.97 to the volunteer fire and ambulance companies. This will bring the total to \$550,045.00 that the County has granted the fire and ambulance service in Sussex County during FY '94.

2. Planning and Zoning Complaints

The Planning and Zoning Office has activated a complaint hot line phone number for holiday and weekend complaints. Residents may call 855-7885 if they wish to file complaints regarding possible zoning violations on the weekend. An inspector will be assigned to retrieve these messages and respond to the complaints on the weekends. This program was very successful last year in helping to crack down on roadside vendors.

3. FY '95 Budget

The proposed FY '95 budget will be presented to Council on Tuesday, May 24, 1994, at 10:00 a.m. in the Council

Adminis-  
trator's  
Report  
(con't)

Chambers. There will be a special press briefing starting at 8:00 a.m. in the Council Chambers on the same date. The press will be given an opportunity at that time to review the entire budget. Public comments will be received on the budget at 10:15 a.m. on June 14, 1994, in Council Chambers.

MOU  
Division  
of  
Public  
Health  
and  
Sussex  
County  
Communi-  
cations  
Center

Mr. Gillespie, Director of Emergency Operations, and Mr. Stevenson, Paramedic Director, discussed a Memorandum of Understanding between the Division of Public Health and Sussex County Communications Center for Emergency Medical Dispatch. The Emergency Medical Dispatch System establishes minimum performance standards for those providing dispatch to the sick and injured. The Memorandum of Understanding states that the Sussex County Communications Center will use the program for a minimum of four years. The program will be financed by the Department of Public Health with the exception that Sussex County will be responsible for salaries, wages and other personnel costs incurred. The Emergency Medical Dispatch System is to be implemented state-wide.

M 199 94  
Enter  
into  
MOU  
with  
Division  
of  
Public  
Health

A Motion was made by Mr. Cole, seconded by Mr. Collins, that the Sussex County Communications Center enter into a Memorandum of Understanding with the Division of Public Health for the establishment of the Emergency Medical Dispatch System.

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

Hudson  
Pond  
Acres

Mr. Archut, Director of Planning and Permits, discussed the estimated costs and charges for the Proposed Hudson Pond Acres Streetlighting District. It is proposed that eight lights will be placed in the district at an annual cost of \$37.70 per year per residential structure.

M 200 94  
Approve  
Estimated  
Costs &  
Charges-  
Proposed  
Hudson  
Pond  
Acres  
Street-  
lighting  
District

A Motion was made by Mr. Collins, seconded by Mr. Cole, that the Sussex County Council hereby approves the estimated costs and charges prepared by the Sussex County Engineering Department for the Proposed Hudson Pond Acres Streetlighting District, as presented on May 17, 1994.

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

Hudson Pond Acres Mr. Archut, Director of Planning and Permits, discussed the proposed date, time and place of the referendum for the Proposed Hudson Pond Acres Streetlighting District. Mr. Archut recommended that the referendum be held on June 29, 1994, between the hours of 1:00 p.m. and 7:00 p.m. at the Morris Early Childhood Center in Lincoln, Delaware.

M 201 94 A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Resolution No. R 017 94 entitled "A RESOLUTION ESTABLISHING THE DATE, TIME AND PLACE OF A REFERENDUM TO BE HELD TO CONSIDER THE QUESTION OF ESTABLISHING THE PROPOSED HUDSON POND ACRES STREETLIGHTING DISTRICT".

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 Ordinance Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOTIVE REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.38 ACRES, MORE OR LESS" (Conditional Use No. 1078) filed on behalf of Richard M. Brown. The Proposed Ordinance will be advertised for Public Hearing.

MOU Department of Public Safety, DE State Police & Sussex County Secretary Karen Johnson, Department of Public Safety, and Peter Jones, Assistant County Attorney, discussed a Memorandum of Understanding between the State of Delaware, Department of Public Safety; Delaware State Police; and the Sussex County Council. The Agreement provides a cost sharing approach to address police staffing needs in Sussex County. The cost sharing program would put an additional fifteen state troopers and four supervisors in Sussex County. Secretary Johnson reviewed three possible funding scenarios for the program: (1) Rural Policing Grant, (2) Community Policing Grant, and (3) Shared Cost Approach without federal participation. The Agreement is to commence on July 1, 1994, and will have an initial term of a period of five years. The Agreement may be terminated by either party at the end of any fiscal year.

M 202 94 Execute MOU A Motion was made by Mr. Collins, seconded by Mr. Cole, to authorize the Sussex County Council President to execute the Memorandum of Understanding between the State of Delaware, Department of Public Safety; Delaware State Police; and Sussex County Council.

M 202 94 Motion Adopted: 3 Yea, 1 Abstention, 1 Absent.  
(con't)

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

Laurel Central Water System Mr. Izzo, Director of Public Works, discussed the Laurel Central Water System. Bid results for this project were announced at the Council meeting on April 19, 1994. The bid from Tidewater Utilities, Inc. was the only bid received. Mr. Izzo recommended that the bid be awarded to Tidewater Utilities, Inc. in the amount of \$289,400.00.

M 203 94 Award Bid Sussex County Project No. 93-11 A Motion was made by Mr. Cole, seconded by Mr. Collins, based upon the recommendation of the Sussex County Engineering Department, that the bid for Sussex County Project No. 93-11 entitled "Central Water System for Sussex County Landfill No. 5" be awarded in the amount of \$289,400.00 to Tidewater Utilities, Inc., who as a condition of being awarded the bid is directed to apply for a Certificate of Public Convenience and Necessity and provide service for the service area.

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 204 94 Amend Agenda A Motion was made by Mr. Cole, seconded by Mr. Collins, to amend the Agenda by striking the agenda item "Notice of Conciliation - Laurel Landfill" and adding the agenda item "FAA Funding".

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

FAA Grant for Rehabilitation of Main Runway at Airport Mr. Izzo, Director of Public Works, discussed a FAA Grant the County was awarded in September, 1993, to be used to form a design to rehabilitate the main runway of the Sussex County Airport. The plans are expected to be completed within the next week and will be forwarded to the Federal Aviation Administration. Mr. Izzo advised that due to funds being frozen on a nationwide level and due to some temporary legislation, the County needs to position itself to accept the grant on or before June 30, 1994. To do this, it is

FAA  
Grant  
(con't)

necessary to receive bids for the rehabilitation project. Mr. Izzo requested permission to advertise Sussex County Project No. 93-09 entitled "Rehabilitation of Runway 4-22 at the Sussex County Airport". The Project will provide for the hot mix overlay of the runway, taxiway lights and an upgrade of the electrical substation.

M 205 94 A Motion was made by Mr. Collins, seconded by Mr. Cole, Solicit that the Sussex County Council authorizes the Public Works Bids for Division of the Sussex County Engineering Department to Sussex solicit bids for Sussex County Project No. 93-09 entitled County "Rehabilitation of Runway 4-22 at the Sussex County Project Airport".  
No.

93-09 Motion Adopted: 3 Yea, 1 Nay, 1 Absent.

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

Citizens' Pat Ficken, Co-chair of the Coalition of Coastal Communities, Concern and representatives of various coastal developments spoke to Council in opposition of the May 20th opening of KNOCKER's Restaurant and Lounge on Route 54 in Fenwick Island.

Board of Mr. Stickels, County Administrator, notified Council that Adjust- the application of Delaware Aggregates, Inc. to the County's ment Board of Adjustment has been withdrawn. Delaware Aggregates, Appli- Inc. was requesting a variance for the construction of an cation asphalt mixing plant.

M 206 94 At 12:32 p.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 A Public Hearing was held on the Proposed Ordinance en- Hearing titled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN C/U AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR ADDITIONAL No. 1074 BOAT AND BOAT TRAILER STORAGE, AN OFFICE AND SHOWROOM, AND STORAGE AND MAINTENANCE EXPANSION OF CONDITIONAL USE NO. 1003 AND CONDITIONAL USE NO. 1051 TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 8.01 ACRES, MORE OR LESS" (Conditional Use No. 1074) filed on behalf of John J. Marsh. The Public Hearing was closed.

M 207 94 A Motion was made by Mr. Cole, seconded by Mr. Collins, to  
Adopt Ordinance No. 967 entitled "AN ORDINANCE TO GRANT A  
Ordinance No. 967 CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL  
DISTRICT FOR ADDITIONAL BOAT AND BOAT TRAILER STORAGE, AN  
OFFICE AND SHOWROOM, AND STORAGE AND MAINTENANCE EXPANSION  
OF CONDITIONAL USE NO. 1003 AND CONDITIONAL USE NO. 1051 TO  
BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN  
INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 5.83 ACRES,  
MORE OR LESS" (Conditional Use No. 1074) filed on behalf of  
John J. Marsh, with the following conditions:

1. The site shall be reduced to 5.83 acres from the advertised 8.01 acres.
2. The site plan, including Conditional Use Nos. 1003 and 1051 and this site, shall be subject to the review and approval of the Planning and Zoning Commission.
3. All stipulations of Conditional Use No. 1003 and Conditional Use No. 1051 shall continue to be met.
4. Location of planting screen shall be subject to site plan review and approval.

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 the proposed use, as an extension of Conditional Use Nos. 1003 and 1051, will create needed additional boat storage and other facilities to serve a rapidly expanding, successful business serving the boating convenience of Sussex County residents.
2. The proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan and will have no adverse impact on the character of the neighborhood, property values therein, traffic or the environment in the area.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing C/Z No. 1225 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 NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 15.3 ACRES, MORE OR LESS" (Change of Zone No. 1225) filed on behalf of Charles W. and Earlena Brittingham, Karen T. Brittingham, and Valerie D. Brittingham. The Public Hearing was closed.

M 208 94 Adopt Proposed Ordinance C/Z No. 1225 DENIED A Motion was made by Mr. Cole, seconded by Mr. Collins, 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 NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 15.3 ACRES, MORE OR LESS" (Change of Zone No. 1225) filed on behalf of Charles W. and Earlena Brittingham, Karen T. Brittingham, and Valerie D. Brittingham.

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

The application was denied due to the fact that the applicant failed to appear and due to the lack of information.

Public Hearing C/Z No. 1226 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 C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.23 ACRES, MORE OR LESS" (Change of Zone No. 1226) filed on behalf of J. Scott and Mary McCurdy. The Public Hearing was closed.

M 209 94 Adopt Ordinance No. 968 A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Ordinance No. 968 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 BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.23 ACRES, MORE OR LESS" (Change of Zone No. 1226) filed on behalf of J. Scott and Mary McCurdy.

Motion Adopted: 4 Yea, 1 Absent.

M 209 94 (con't) 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 upon the following findings of fact:

1. The applicant established by substantial evidence that the Change of Zone will serve to allow the business on site to expand and will provide needed boat storage capacity.
2. The proposed Change of Zone will have no adverse impact of any sort on neighborhood properties, traffic or the environment.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing C/Z No. 1227 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 28,997 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1227) filed on behalf of Norman E. Justice. The Public Hearing was closed.

M 210 94 Adopt Ordinance No. 969 A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Ordinance No. 969 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 28,997 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1227) filed on behalf of Norman E. Justice.

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 upon the following findings of fact:

1. The applicant established by substantial evidence that the Change of Zone will be consistent with the character of the neighborhood, development therein, traffic, or the environment in the area.

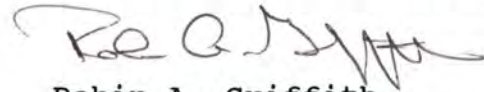
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Findings  
of Fact  
(con't)

2. The Change of Zone meets 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 211 94 A Motion was made by Mr. Collins, seconded by Mr. Cole, to  
Adjourn adjourn at 2:10 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council