

**SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-JULY 29, 2003**

**Call to Order**            The regular meeting of the Sussex County Council was held Tuesday, July 29, 2003, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

<b>Lynn J. Rogers</b>	<b>President</b>
<b>Dale R. Dukes</b>	<b>Vice President</b>
<b>George B. Cole</b>	<b>Member</b>
<b>Finley B. Jones, Jr.</b>	<b>Member</b>
<b>Vance C. Phillips</b>	<b>Member</b>
<b>Robert L. Stickels</b>	<b>County Administrator</b>
<b>James D. Griffin</b>	<b>County Attorney</b>

**M 431 03**            A Motion was made by Mr. Dukes, seconded by Mr. Jones, to approve the  
**Approve**  
**Agenda**

**Motion Adopted:     5 Yea.**

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

**M 432 03**            A Motion was made by Mr. Jones, seconded by Mr. Dukes, to approve the  
**Approve**  
**Minutes**

**Motion Adopted:     5 Yea.**

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

**Bridgeville**        Mr. Stickels stated that through the efforts of Senator Thurman G. Adams, Jr.,  
**Visitors**            Senator Robert L. Venables, Sr., and Representative J. Benjamin Ewing, funds  
**Center**              for the restructuring of the Bridgeville Visitors Center to house Delaware State  
                              Police Troop 5, Sussex County Paramedic Station 107, and a separate room for  
                              a Visitors Center were included in the State budget passed on June 30, 2003.  
                              The total project cost is \$3.3 million, of which Sussex County is contributing  
                              \$1.1 million. Delaware Department of Public Safety Secretary James L. Ford,  
                              Jr., was recognized and thanked Council for their contribution to this project  
                              on behalf of Governor Minner and the men and women troopers who serve out  
                              of Troop 5. Senators Adams and Venables, Representative Ewing, and Colonel  
                              L. Aaron Chaffinch, Superintendent of the Delaware State Police, also  
                              expressed their thanks for Sussex County's contribution and for the  
                              cooperation and assistance received from the County. Remarks were followed  
                              by the presentation of a facsimile check in the amount of \$1.1 million as Sussex  
                              County's contribution toward the conversion of the Bridgeville Visitors Center  
                              to a Public Safety Center.

**Sussex  
County  
Addressing  
Project**

Secretary Ford also took the opportunity to discuss Sussex County's Addressing Project. As a member of the Enhanced 9-1-1 Emergency Services Board, Secretary Ford advised that the addressing of Sussex County is one of their major priorities. Currently when someone calls 9-1-1 from many parts of the County there is no numerical address provided to the 9-1-1 operators. The concept of Enhanced 9-1-1 is for emergency responders to be provided with the most accurate information possible in order to ensure an effective and timely response. By assigning numerical addresses to every location in Sussex County, the best possible emergency services can be ensured to the citizens and visitors of Sussex County. Although there has been some resistance from the citizens of Sussex in terms of changing their current address, the positives far outweigh any negatives. Secretary Ford stated that the addressing procedure that has recently been ongoing in Sussex has been moving ahead very well and he complimented the Council and staff involved in that process. He also informed Council that Debra Puglisi-Sharp is a member of the Enhanced 9-1-1 Board and she has agreed to participate in open meetings at local fire companies in Sussex County to explain the importance of street addressing. The Secretary pledged his continued support to work with the Sussex County addressing staff to assure that residents and visitors may be located in time of emergencies.

Mr. Laick, Supervisor of Mapping and Addressing, reported to Council that his office has been in conference calls and meetings with representatives of the State and Verizon to start cleaning up some of the addressing issues and discussing ways to get people to start using their correct address. In addition, State 9-1-1 Administrator Dick Rutter now has an office in the Sussex County Administrative Building and has been working out of that office one or two days a week. A member of Verizon's staff who works on the service address field (basically the address that comes across the 9-1-1 Center) has also been working with the County to try and answer questions and verify information that has been passed along. Mr. Laick stated that great progress has been made over the last two months on the Addressing Project.

Mr. Laick distributed copies of a Proposed Ordinance entitled "STREET NAMING AND ADDRESSING ORDINANCE" for Council's review, comments, and suggestions. The Proposed Ordinance is for discussion purposes only and basically sets guidelines that must be followed for displaying of addresses, explains what type of roadway needs an address, why it needs an address, and some of the background on the addressing method as well. One of the biggest complaints from fire departments, paramedics, and police officers is that people are not displaying their addresses properly, making it difficult for everyone to find these locations. Through this Proposed Ordinance, some of these issues may be resolved. However, it was noted that public education is a key factor in the Addressing Project.



**Adminis-  
trator's  
Report**

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

1. Rose Gate West – Beneficial Acceptance

Rose Gate West, Agreement No. 262, was granted Beneficial Acceptance on July 18, 2003, by the Sussex County Engineering Department. Included with this report is a fact sheet on the project.

2. Delaware Department of Transportation (DelDOT)

In preparation of the Delaware Department of Transportation's FY 2005-2010 Capital Transportation Program, the Department will be hosting a series of joint Council on Transportation and Metropolitan Planning Organizations public meetings. The Sussex County meeting will take place on Thursday, September 11, 2003, in the Conference Room of the DelDOT Administration Building in Georgetown. A workshop will take place from 6:00 to 7:00 p.m., with public comments being taken at 7:00 p.m.

2. Property Tax Assistance Programs

For informational purposes, included with this report is a listing of the property tax assistance programs available to Sussex County residents.

**Discussion  
on Proposed  
Ordinances  
Relating  
to 2002  
Compre-  
hensive  
Plan  
Update**

Mr. Kautz, Land Use Planner, and Mr. Shafer, the County's Land Use Consultant, reviewed Proposed Ordinances relating to B-1 and C-1 General Commercial Districts, C-2 Large Scale Commercial District, Agricultural Related District, and Biotech Campus and Biotech Industry. Mr. Kautz advised that the Proposed Ordinances are consistent with the Sussex County 2002 Comprehensive Plan Update. Copies of the Proposed Ordinances were provided for Council.

Mr. Cole expressed concern regarding pedestrian movement and safety in the proposed C-2 Large Scale Commercial District. It was felt that guidelines need to be established regarding parking, landscaping, and pedestrian access for inclusion as part of the site plan review process. In addition, Mr. Rogers requested that the Proposed Ordinance be amended by adding the word "roof" as a permitted sign location in the C-2 Large Scale Commercial District.

Mr. Griffin noted that the definition for "Biotech Campus" states, "within the site, buildings are used predominately by the BioTech Industry in a multi-purposed and interdisciplinary association with university research." It was suggested that this definition be broadened to include research by the agricultural industry.

Discussion  
on Proposed  
Ordinances  
Relating  
to 2002  
Compre-  
hensive  
Plan  
Update  
(continued)

Mr. Cole also expressed concern with the Proposed Ordinance regarding Agricultural Related Industry. He stated that the residential component of the Agricultural Residential District must be protected, as well as the agricultural aspect.

It was the consensus of Council that the Proposed Ordinances pertaining to the Agricultural Related District and Biotech Industry and Biotech Campus be reworded to allow agricultural related industry, biotech industry, and biotech campus as a "conditional use" instead of a "permitted use," thereby requiring a public hearing to determine if the use is appropriate within the community. These Proposed Ordinances are to be revised and placed back on the Council Agenda for introduction on August 5, 2003.

Proposed  
Ordinances  
Amending  
Chapter  
115 of  
the Code  
of Sussex  
County

Mr. Cole introduced the Proposed Ordinances entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY TO AMEND THE PROVISIONS RELATING TO RESIDENTIAL USES IN THE B-1 AND C-1 COMMERCIAL ZONING DISTRICTS BY LIMITING SUCH USES TO 4 DWELLING UNITS PER ACRE, TO ELIMINATE SECTION 115-77.1 LARGE SCALE USES, AND MAKE OTHER TECHNICAL CHANGES TO ARTICLE X, B-1 NEIGHBORHOOD BUSINESS DISTRICT, AND ARTICLE XI, C-1 GENERAL COMMERCIAL DISTRICT" and "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ADD A NEW SECTION CREATING A C-2 LARGE SCALE COMMERCIAL DISTRICT" (as amended by adding the word "roof" as a permitted sign location).

The Proposed Ordinances introduced by Mr. Cole will be scheduled for a Public Hearing before the Planning and Zoning Commission on September 11, 2003, with the County Council Public Hearing to be scheduled for September 30, 2003.

Public  
Hearing/  
South  
Bethany  
SSD/  
Lord  
Baltimore  
Landing  
Expansion

A Public Hearing was held to consider the expansion of the South Bethany Sanitary Sewer District to include the project known as Lord Baltimore Landing, plus one additional parcel, located just south of and contiguous to the Town of Ocean View. The project consists of 85 units and was approved on March 11, 2003. Mr. Archut, Assistant County Engineer, explained that the expansion would provide service to Lord Baltimore Landing.

Public comments were heard from Richard Nye and Carl Blackburn.

Mr. Nye submitted to Council a list of questions regarding the capacity and operation of the South Coastal Regional Wastewater Facility. Mr. Nye stated that he lives near the South Coastal Facility in the South Hampton Development and expressed concerns regarding the impact of this development on the ability of the South Coastal Regional Wastewater Facility to handle



**Public  
Hearing  
(continued)**

additional users, as well as the odors being emitted from the Facility at the present time. (Mr. Nye's questions will be forwarded to Heather Sheridan, Director of Operations, Sussex County Engineering Department, for a response, a copy of which will be sent to Council.)

Mr. Blackburn questioned if the South Coastal Regional Wastewater Facility would have to be expanded in order to serve Lord Baltimore Landing. Mr. Blackburn was advised that the proposed expansion of the South Bethany Sanitary Sewer District will not require the Facility itself to be enlarged, as there is sufficient capacity at the plant to handle the flows from this subdivision.

There were no additional public comments and the Public Hearing was closed.

**M 433 03  
Adopt  
Resolution  
No.  
R 021 03**

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Resolution No. R 021 03 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE SOUTH BETHANY SANITARY SEWER DISTRICT TO ENCOMPASS THE LORD BALTIMORE LANDING SUBDIVISION, LYING CONTIGUOUS TO THE SOUTH BETHANY SANITARY SEWER DISTRICT, SITUATE SOUTH OF THE TOWN OF OCEAN VIEW AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE."

**Motion Adopted: 5 Yea.**

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

**Cedar  
Neck  
Expansion  
(BBSSD)/  
Piney  
Point/  
Murray's  
Estates  
Collection  
and Con-  
veyance/  
Bid Results**

Mr. Izzo, County Engineer, reported on bid results for Sussex County Project No. 99-12-D, Cedar Neck Expansion of the Bethany Beach Sanitary Sewer District, Piney Point/Murray's Estates Collection and Conveyance, as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
A. P. Croll Georgetown, DE	\$1,891,222.50	\$1,975,992.50
Edward McGinn General Contractors West Chester, PA	\$1,990,560.00	\$2,111,660.00
Bunting & Murray Selbyville, DE	\$2,161,587.00	\$2,196,187.00
Bearing Construction Sudlersville, MD	\$2,179,556.15	\$2,270,554.15

	<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
Cedar Neck Expansion (BBSSD)/Piney Point/Murray's Estates Collection and Conveyance/ Bid Results (continued)	Teal Construction Dover, DE	\$2,218,848.00	\$2,229,228.00
	American Paving Salisbury, MD	\$2,578,828.00	\$2,617,061.00
	The Engineer's Estimate on the base bid was \$2,100,000.00. Mr. Izzo explained that the alternate bid referenced a proposed upgrade from tar and chip to hot mix for the Murray's Estates Subdivision, but the price came in at \$5.00 per square yard and would not be cost-effective. Mr. Izzo recommended that the bid be awarded to the low bidder, A. P. Croll of Georgetown, Delaware, at the base bid amount of \$1,891,222.50.		

M 434 03 Cedar Neck Expansion (BBSSD)/Piney Point/Murray's Estates Collection and Conveyance/ Bid Award	A Motion was made by Mr. Cole, seconded by Mr. Jones, based on the recommendation of the Engineering Consultants, Whitman, Requardt and Associates, LLP, and the Engineering Department, that Sussex County Project No. 99-12-D, Piney Point/Murray's Estates Collection and Conveyance, be awarded to A. P. Croll & Son, Inc., of Georgetown, Delaware, at the base bid amount of \$1,891,222.50, contingent upon the receipt of approval from the Delaware Department of Natural Resources and Environmental Control and/or Rural Utility Service.		
	Motion Adopted:	5 Yea.	
	Vote by Roll Call:	Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Dukes, Yea; Mr. Jones, Yea; Mr. Rogers, Yea	

**Fox Hollow Street-lighting District**

Mr. McCabe, Director of Public Works, reported that the Engineering Department has received and verified petitions from property owners in the Fox Hollow Subdivision who are interested in the establishment of a streetlighting district. Thirty-three (33) percent of the petitions received were positive, which is more than sufficient to establish that an interest exists in the community. Fox Hollow Subdivision is located off of State Route 24 behind Peddler's Village and currently consists of 64 improvements, with 83 total lots.

**M 435 03  
Approve Rate/  
Fox Hollow Street-lighting District**

A Motion was by Mr. Phillips, seconded by Mr. Jones, based on the recommendation of the Sussex County Engineering Department, that the Sussex County Council approves an estimated annual billing rate of \$42.04 per residential or commercial improvement within the Fox Hollow Proposed Streetlighting District, which shall be adjusted each year thereafter, based upon the number of assessable units and fuel costs.



**M 435 03**  
**(continued)**

**Motion Adopted: 5 Yea.**

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

**M 436 03**  
**Adopt**  
**Resolution**  
**No.**  
**R 022 03**

**A Motion was made by Mr. Phillips, seconded by Mr. Jones, to Adopt Resolution No. R 022 03 entitled "A RESOLUTION ESTABLISHING THE DATE, TIME, PLACE, ABSENTEE BALLOT PROVISION, AND JUDGE FOR AN ELECTION TO BE HELD TO CONSIDER THE QUESTION OF ESTABLISHING THE PROPOSED FOX HOLLOW STREETLIGHTING DISTRICT."**

**Motion Adopted: 5 Yea.**

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

**Millville/  
North  
Millville  
Expansion  
(BBSSD)**

**Mr. Archut, Assistant County Engineer, requested permission to prepare and post notices for the proposed expansion of the Bethany Beach Sanitary Sewer District to serve the Millville/North Millville area, which includes White's Creek Manor, Creekside, Bowerset, and Bay Forest. Mr. Archut stated it is the intent that expansion areas with the greatest need will be addressed first.**

**Mr. Cole expressed concern that the expansion extends too far into a rural area that already has substantial traffic gridlock.**

**M 437 03**  
**Authorize**  
**Notices/  
Millville/  
North  
Millville  
Expansion  
(BBSSD)**

**A Motion was made by Mr. Phillips, seconded by Mr. Jones, that the Sussex County Engineering Department is authorized to prepare and post notices for the extension of the Bethany Beach Sanitary Sewer District to include the Millville/North Millville Expansion Area, as presented on July 29, 2003.**

**Motion Adopted: 4 Yea, 1 Nay.**

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

**SCRWF  
Pump  
Station  
100 Upgrade  
and Force  
Main**

**Mr. Stewart, Project Engineer, discussed a Balancing Change Order for Sussex County Project No. 01-05, Pump Station 100 Upgrade and Force Main for the South Coastal Regional Wastewater Facility. The contract is with David A. Bramble, Inc., and the balancing change order totals a net decrease of \$9,172 in the original contract amount of \$413,081, reducing the final contract amount to \$403,909.**

**M 438 03  
Approve  
Balancing  
Change  
Order/  
SCRWF  
Pump  
Station  
100 Upgrade  
and Force  
Main**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, based on the recommendations of the County's Consulting Engineer, George, Miles & Buhr, LLC, and the Sussex County Engineering Department, and contingent upon approval of the USDA Rural Development Agency, that the Sussex County Council approves Balancing and Credit Change Order No. 1 to the contract with David A. Bramble, Inc., for Sussex County Project No. 01-05, Pump Station 100 Upgrade and Force Main, in the amount of \$9,172, thereby decreasing the final contract total amount from \$413,081 to \$403,909.

**Motion Adopted: 4 Yea, 1 Absent.**

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

(Mr. Jones was out of the room during the vote.)

**Requests**

Mr. Stickels presented grant requests for Council's consideration.

**M 439 03  
Council-  
manic  
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$300.00 from Mr. Cole's Councilmanic Account to the City of Rehoboth Beach to help defray the cost of hosting the Delaware State University Marching Band on August 31, 2003.

**Motion Adopted: 5 Yea.**

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

**M 440 03  
Council-  
manic  
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to give \$1,000.00 (\$500.00 each from Mr. Cole's and Mr. Rogers' Councilmanic Accounts) to the Rehoboth Beach Film Society to support the Sixth Annual Rehoboth Beach Independent Film Festival.

**Motion Adopted: 5 Yea.**

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

**M 441 03  
Council-  
manic  
Grant**

A Motion was by Mr. Dukes, seconded by Mr. Phillips, to give \$500.00 (\$250.00 each from Mr. Dukes' and Mr. Phillips' Councilmanic Accounts) to Mt. Pisgah A.M.E. Church for community programs.



**M 441 03  
(continued)**

**Motion Adopted: 5 Yea.**

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

**Proposed  
Ordinance**

**Mr. Phillips introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 18.33 ACRES, MORE OR LESS" (Conditional Use No. 1522) filed on behalf of SSEW, LLC. The Proposed Ordinance will be advertised for Public Hearing.**

**M 442 03  
Recess**

**At 12:08 p.m., a Motion was made by Mr. Dukes, seconded by Mr. Phillips, to recess until 1:00 p.m. Motion Adopted by Voice Vote.**

**Reconvene**

**At 1:07 p.m., Mr. Rogers called Council back into session.**

**Order  
of Public  
Hearings**

**Since no parties were present on behalf of Conditional Use No. 1496, the Public Hearing was delayed until the end of the meeting to allow time for the applicant or a representative to appear.**

**Public  
Hearing  
(C/Z  
No. 1512)**

**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 B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 8.223 ACRES, MORE OR LESS" (Change of Zone No. 1512) filed on behalf of Percy, Inc.**

**The Planning and Zoning Commission held a Public Hearing on this application on July 10, 2003, at which time they deferred action. Mr. Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing. The summary and the findings and recommendations of the Commission were admitted as part of the record of this Public Hearing.**

**The Council found that John Gilman, President of Percy, Inc.; John Sergovic, Attorney; Jessica Nichols of Meridian Consulting Engineers, L.L.C.; Laf Erickson of Atlantic Resource Management, Inc.; Bill Lucks of Seacoast Realty; and Scott Rogers, Architect with Davis, Bowen, and Friedel, Inc., were present on behalf of the application. Representatives stated in their presentations that the proposal is for a scaled office service center; that there is a need for office space in the area; that the developer has been talking with the Postal Service and that there is a need for a new postal facility in the area; that**

**Public  
Hearing  
(continued)**

the site is in close proximity to activities near the intersection of Route 20 and Route 17, in the geographic area identified as Roxana; that the site is in close proximity to other public services, i.e. the Pyle Center and Indian River School District office; that they propose to build four 10,000-square-foot building footprints with four units in each building; that the buildings will start as two-story pre-engineered shells and will have brick veneer fronts; that the only suitable soils for septic have been established; that limitations on septic will place limitations on the amount of development and the number of employees; and that the B-1 zoning was chosen since it has more restrictive uses than C-1.

Public comment was heard from Catherine Houston who expressed concerns regarding the amount of car and truck traffic that will be generated, as well as the hours of operation.

There were no additional public comments and the Public Hearing was closed.

**M 443 03  
Defer  
Action  
on C/Z  
No. 1512**

A Motion was made by Mr. Cole, seconded by Mr. Jones, to defer action on Change of Zone No. 1512 filed on behalf of Percy, Inc.

**Motion Adopted: 5 Yea.**

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

**Public  
Hearing  
(C/U  
No. 1496)**

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 AN ANTIQUE SHOP/ART GALLERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 39,281 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1496) filed on behalf of Julie Schroeck.

The Council found that there were no parties present on behalf of the application.

There were no public comments and the Public Hearing was closed.

**M 444 03  
Adopt  
Proposed  
Ordinance  
(C/U  
No. 1496)**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ANTIQUE SHOP/ART GALLERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 39,281



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**M 444 03  
(continued)**

**SQUARE FEET, MORE OR LESS” (Conditional Use No. 1496) filed on behalf of Julie Schroeck.**

**Motion Denied: 5 Nay.**

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

**Reason  
for Denial**

**The County Council denied the application based on the lack of representation in support of the application.**

**M 445 03  
Adjourn**

**A Motion was made by Mr. Dukes, seconded by Mr. Cole, to adjourn at 2:05 p.m. Motion Adopted by Voice Vote.**

**Respectfully submitted,**

*Susan W. Webb*

**Susan W. Webb  
Acting Clerk of the Council**