

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 1, 1994

Call to Order The regular meeting of the Sussex County Council was held Tuesday, November 1, 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
Ralph E. Benson	Member
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 452 94 A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve Minutes approve the minutes of the previous meeting dated October 25, 1994. Motion Adopted by Voice Vote.

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

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.
RE: To solicit comments and recommendations from the public concerning issuance of a Department of the Army permit.
Applicant - Michael Corrado; Waterway - Lewes and Rehoboth Canal.

Fiscal 1995 Human Service Grants Mr. Stickels, County Administrator, discussed the listing of recommendations for the Fiscal 1995 Human Service Grants. Mr. Stickels recommended that the grant in the amount of \$1,000.00 to First State Community Action Agency, Inc., be deleted from the listing due to the fact that it was a duplication. Mr. Stickels further recommended that the following two grants also be considered:

(1) Boys Club/Girls Club of Seaford	\$ 1,500.00
(2) Families in Crisis	\$ 1,000.00

M 453 94 A Motion was made by Mr. Collins, seconded by Mr. Benson, that Authorize the Sussex County Council authorizes the distribution of Distri- \$99,000.00 in Fiscal 1995 Human Service Grants, as presented bution and recommended by the County Administrator, as follows: of

Fiscal 1995 Human Service Grants	AHEDD, Inc.	\$ 500.00
	ANKH, Inc.	\$ 500.00
	American Cancer Society	\$ 2,500.00
	American Diabetes Association	\$ 1,000.00
	American Heart Association of Delaware, Inc.	\$ 1,000.00
	American Red Cross	\$ 3,000.00

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M 453 94 (con't)	Arthritis Foundation - Delaware Chapter	\$ 1,000.00
	Big Brothers/Big Sisters of Delaware, Inc.	\$ 1,000.00
	Boy Scouts of America - Delmarva Council, Inc.	\$ 1,000.00
	Bridgeville Community Action Corporation	\$ 1,000.00
	Casa San Francisco	\$ 2,000.00
	Catholic Charities	\$ 3,000.00
	CHEER Centers	
	Georgetown	\$ 500.00
	Huling Cove (Lewes)	\$ 500.00
	Roxana	\$ 500.00
	Slaughter Neck	\$ 500.00
	Greenwood	\$ 500.00
	Oak Orchard	\$ 500.00
	Delaware Community Cluster Against Substance Abuse	\$ 1,500.00
	Colonel David Hall Chapter, DAR	\$ 500.00
	Community Legal Aid Society, Inc.	\$ 1,000.00
	Contact Delaware, Inc.	\$ 1,000.00
	Coverdale Community Council, Inc.	\$ 1,000.00
	Delaware Agricultural Museum & Village	\$ 1,000.00
	Delaware Hospice, Inc.	\$ 2,000.00
	Delaware Nature Society	\$ 1,250.00
	Delaware Police Chiefs' Council, Inc.	\$ 2,750.00
	Delaware Society for the Prevention of Cruelty to Animals (SPCA)	\$ 1,000.00
	Delawareans United to Prevent Child Abuse	\$ 500.00
	Dry Dock, Inc.	\$ 500.00

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M 453 94 (con't)	Easter Seal Rehabilitation Center	\$ 1,000.00
	Family & Children Services of Delaware	\$ 1,000.00
	First State Community Action Agency, Inc. AKA: Sussex County Community Action Agency	\$ 3,000.00
	Geriatric Services of Delaware, Inc.	\$ 2,000.00
	Home of the Brave Foundation	\$ 1,000.00
	Homebound Elderly Rehabilitation Opportunities, Inc. (HERO)	\$ 1,000.00
	Kent-Sussex Industries, Inc.	\$ 1,250.00
	Laurel Lions Club	\$ 1,000.00
	Storybook House (Jack Lewis)	\$ 500.00
	March of Dimes	\$ 1,000.00
	Martin Luther King, Jr. Celebration Committee	\$ 750.00
	Meals on Wheels of Lewes & Rehoboth, Inc.	\$ 6,000.00
	Millsboro Historical Society	\$ 250.00
	Nanticoke Indian Elder Center	\$ 500.00
	National Multiple Sclerosis Society - Delaware Chapter	\$ 1,000.00
	Ocean View Leisure Center	\$ 500.00
	People's Place II, Inc.	\$ 2,500.00
	Pioneer Club of Sussex County/ Visually Impaired	\$ 500.00
	Possum Point Players	\$ 500.00
	Pyle Child Development Center, Inc.	\$ 750.00
	Read-Aloud Delaware	\$ 1,500.00
	Rehoboth Day Care Center, Inc.	\$ 1,000.00
	Seaford Historical Society, Inc.	\$ 1,000.00
	Slaughter Neck Community Action Agency, Inc.	\$ 2,500.00

M 453 94
(con't)

Sussex County Senior Centers	
Bridgeville	\$ 3,000.00
Cape Henlopen	\$ 3,000.00
Indian River	\$ 3,000.00
Laurel	\$ 3,000.00
Lewes	\$ 3,000.00
Milford	\$ 3,000.00
Nanticoke	\$ 3,000.00
Sussex Community Crisis Housing Services, Inc.	\$ 1,500.00
Sussex Community Swim Team	\$ 1,000.00
AKA: Sussex County Swim Team	
Sussex County Arts Council	\$ 1,000.00
Turnabout Counseling Center	\$ 2,000.00
United Cerebral Palsy of Delaware, Inc.	\$ 1,500.00
YMCA of Delaware	\$ 2,000.00
Boys Club/Girls Club of Seaford	\$ 1,500.00
Families in Crisis	\$ 1,000.00
<u>TOTAL</u>	<u>\$99,000.00</u>

Motion Adopted: 5 Yea.

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

Special
Grants

Mr. Stickels, County Administrator, reported on Special Grants
as of October 31, 1994, as follows:

Local Library Grants
(1/2 of Fiscal 1995 Appropriation of \$99,420.00)

Bridgeville Public Library	\$ 3,671.50
Delmar Public Library	\$ 12,289.50
Frankford Public Library	\$ 6,435.50

Special Grants (con't)	Georgetown Public Library	\$ 3,047.50	
	Laurel Public Library	\$ 7,859.00	
	Lewes Public Library	\$ 1,673.00	
	Milford Public Library	\$ 2,059.50	
	Millsboro Public Library	\$ 7,151.00	
	Rehoboth Public Library	\$ 2,056.50	
	Seaford District Library	\$ 1,397.00	
	Selbyville Public Library	<u>\$ 2,070.00</u>	\$ 49,710.00
	University of Delaware Agricultural Extension Work		\$ 84,096.00
	Sussex Conservation District Tax Ditch Drainage		\$ 75,000.00
	Fire Companies and Ambulance Companies - One-half of Fiscal 1995 Appropriation, Total Appropriation - \$406,851.00		\$203,425.70
	Sussex County Community Action - Part of Fiscal 1995 Grant of \$5,000.00		\$ 2,083.31
	Beach Day 1994 - Grant for Transportation Costs		\$ 477.00
	Delaware Symphony Summer Program at Lewes		\$ 500.00
	Sussex Conservation District - Fiscal 1995 Grants for Manager's, Coordinator's, and Erosion and Sediment Control Technician's Salaries. Total Grant - \$41,649.00		\$ 13,139.25
	Fire Service Discretionary Grants - Fiscal 1995 (Total of \$160,000 for Paid Ambulance Attendants and Fire Education)		\$ 16,925.40
	Human Service Grants - As Recommended		\$ 99,000.00
	<u>TOTAL</u>		<u>\$544,356.66</u>

Adminis-
trator's
Report

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

Adminis-
trator's
Report
(con't)

1. County Government Office Closings

County government offices will be closed Tuesday, November 8, 1994, for Election Day. There will not be a Council meeting the week of November 6. The next regularly scheduled Council meeting will be Tuesday, November 15, 1994.

County government offices will also be closed Thursday, November 10, 1994, in observance of Return Day and Friday, November 11, 1994, for Veterans' Day.

2. Veterans' Day Ceremony

The Town of Blades will be hosting a Veterans' Day Ceremony on Friday, November 11, 1994, at 11:00 a.m. The ceremony will take place at the Blades Park on Seventh Street. Guest speaker will be Representative Tina Fallon.

Dredging
of the
Assawoman
Canal

Mr. Stickels, County Administrator, advised that the State of Delaware Division of Parks and Recreation has proposed the dredging of the Assawoman Canal to allow small recreational boating. The Division of Parks and Recreation has also proposed a nature walk on the banks of the Assawoman Canal. Mr. Stickels reviewed a Proposed Resolution entitled "SUPPORTING THE DREDGING OF THE ASSAWOMAN CANAL" whereby the Council endorses the programs proposed by the State of Delaware Division of Parks and Recreation.

M 454 94
Adopt
Resolu-
tion
No.
R 027 94

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Resolution No. R 027 94 entitled "SUPPORTING THE DREDGING OF THE ASSAWOMAN CANAL".

Motion Adopted: 5 Yea.

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

Proposed
Ordinance
General
Obliga-
tion
Bonds
West
Rehoboth

Mr. Baker, Finance Director, reviewed a Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY FOR THE CONSTRUCTION AND EQUIPPING OF THE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT; AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH". The Proposed Ordinance authorizes the FmHA loans for the West Rehoboth sewer project.

Proposed
Ordinance

Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY FOR THE CONSTRUCTION AND EQUIPPING OF THE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM OF THE WEST REHOBOTH

Proposed Ordinance (con't) EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT; AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH". The Proposed Ordinance will be advertised for Public Hearing on November 22, 1994.

900 Phone Line for Assessment Division Mr. Parker, Director of Assessments, and Mr. Julian, Sales Director for AT&T, discussed the installation of a 900 phone line in the Assessment Division. The 900 phone line would be utilized by businesses seeking information on local properties. Under the current system, businesses seeking information on properties have to come to the Courthouse to obtain the information themselves. Mr. Parker explained that the 900 phone line is a user-pay service; the caller will be charged a fee by AT&T based on the length of the call. AT&T will collect and forward what is owed to Sussex County. The monthly service fee for the phone line will be a maximum of \$75.00. The amount to be charged to the customer is still under consideration. The County will have the option of canceling the contract with AT&T if the system is not self-sufficient.

M 455 94 Approve Installation of a 900 Phone Line A Motion was made by Mr. Cole, seconded by Mr. Benson, that the Sussex County Council hereby approves the installation of a 900 phone line to be used in the Assessment Division for the dissemination of information to the business community.

Motion Adopted: 5 Yea.

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

Tax Map Proposal Mr. Parker, Director of Assessments, and Dennis Norwood, Project Coordinator for Rural Readdressing, discussed a proposal whereby the Assessment Division would prepare, compile, and reproduce a reduced version of the Sussex County tax maps to be available for lease from Sussex County. At the present time, the County allows an outside company to use the Sussex County Tax Maps to create reduced versions. This company then reproduces and assembles the maps into books for lease to realtors, land surveyors, appraisers and banking institutions. Mr. Parker reported that many people are not satisfied with the maps as they are only updated every two to three years and the quality of the maps has diminished in recent years. Total estimated expenditures for the project are \$32,447.00; projected income for the first year is \$34,000.00. Following a discussion regarding the need for this type of service, it was the consensus of Council to table the matter and take it under advisement.

Proposed South Ocean View SSD Mr. Archut, Director of Planning and Permits, advised Council that a Public Meeting has been scheduled for Saturday, November 5, 1994, to discuss the possibility of sanitary sewer service for

- Proposed South Ocean View SSD (con't) the South Ocean View area. The proposed South Ocean View Sanitary Sewer District, which lies south of the Town of Ocean View and north of Miller Creek includes Plantation Park I and II, George C. Moore, Malcolm's Manor, Plantation Park Marina, lands of Harold E. Marvel, Starlight Woods (service connection only), Ocean Air, and Chevy Chase subdivisions (Alternative No. 1). Subdivisions that are also being considered for inclusion in the proposed service area are Shady Del Park and Quaint Acres (Alternative No. 2). Mr. Archut reviewed typical user information and cost estimates; cost estimates are based on FmHA/RDA funding at 5.25 percent for forty years. Total construction cost for Alternative Number 1 is \$4,726,683.00; total construction cost for Alternative Number 2 is \$7,302,879.00. The cost per front foot (annually) is \$6.65 for Alternative No. 1 and \$5.88 for Alternative No. 2. The cost per EDU (annually) is \$245.00 for Alternative Number 1 and 2. The connection charge is \$1,700.00 for Alternative Number 1 and 2. Mr. Archut will report back to Council on November 22, 1994, regarding the results of the Public Meeting.
- Current Sewer Projects Mr. Archut, Director of Planning and Permits, distributed a report listing current sanitary sewer projects and the status of each as of November 1, 1994.
- Old Georgetown Post Office Building HABS Documentation Mr. Archut, Director of Planning and Permits, discussed additional work that is required to be performed on the old Georgetown Post Office building prior to any remodeling being done. As a result of buying this federal building, the County is required to do a HABS (Historic American Building Survey) Documentation of the interior of the building. The HABS Documentation will consist of a photographic and archaeological recordation of the features of the interior of the building. The final report will be submitted to the National Park Service. Mr. Archut proposed that the University of Delaware College of Urban Affairs and Public Policy (Center for Historic Architecture and Engineering) perform this work at a cost not to exceed \$6,918.00.
- M 456 94 Execute Agreement with U of D for HABS Documentation A Motion was made by Mr. Stevenson, seconded by Mr. Cole, that the President of the Sussex County Council is hereby authorized to execute an agreement with the University of Delaware College of Urban Affairs and Public Policy (Center for Historic Architecture and Engineering) for HABS Documentation of the old Georgetown Post Office at a cost not to exceed \$6,918.00.
- Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea; Mr. Collins, Yea; Mr. Stevenson, Yea; Mr. Dukes, Yea

Change Order No. 3 West Rehoboth Mr. Green, Director of Utility Construction, discussed Change Order No. 3 for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, Design Areas, 6, 7, 8, and 9, to Teal Construction, Inc., for eight inch sanitary sewer laterals, cleanouts and wyes, to service large vacant undeveloped parcels, for an amount of \$25,230.00.

M 457 94 Issue Change Order No. 3 Design Areas 6, 7, 8, and 9 West Rehoboth A Motion was made by Mr. Benson, seconded by Mr. Cole, that based on the recommendation of the Inspection Engineer, George, Miles & Buhr, and the Sussex County Engineering Department, that the Sussex County Council authorizes the President of the Sussex County Council to issue Change Order No. 3, for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, Design Areas 6, 7, 8, and 9, to Teal Construction, Inc., for eight inch in lieu of six inch sanitary sewer laterals, cleanouts and wyes, to service large vacant undeveloped parcels, for an amount of \$25,230.00, based on estimated quantities, increasing this contract amount to \$4,799,300.00. Final quantities will be reflected in the final closeout change order, contingent on the approval of the following agencies; Department of Natural Resources and Environmental Control and Farmers Home Administration.

Motion Adopted: 5 Yea.

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

Conditional Acceptance Mr. Green, Director of Utility Construction, discussed Conditional Acceptance for the wastewater facilities constructed in Water View Estates, located in the Bethany Beach Sanitary Sewer District.

M 458 94 Grant Conditional Acceptance Water View Estates A Motion was made by Mr. Cole, seconded by Mr. Benson, based upon the recommendation of the Inspection Engineer, Sussex County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council grant Conditional Acceptance for the wastewater facilities constructed in Water View Estates, located in the Bethany Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

Archaeological Change Order Mr. Wood, County Engineer, discussed an archaeological change order for the West Rehoboth Sewer Project. Mr. Wood recommended that the Phase II archaeological investigation of the spray site be revised to include approximately 500 feet, a smaller area than

Archaeo- originally proposed. The area involved has decreased due to the
logical fact that pipeline will be relocated to miss an area where arti-
Change facts have been found. The remaining 500 feet will require the
Order Phase II Study due to the pre-historic artifacts found during the
(con't) Phase I Study. The cost of the Phase II Study is for an amount
not to exceed \$14,709.86.

M 459 94 A Motion was made by Mr. Collins, seconded by Mr. Benson, based
Archaeo- on the recommendation of the Consultant Engineer, George, Miles
logical & Buhr, and the Sussex County Engineering Department, together
Change with the approval of the Farmers Home Administration, that a
Order revised Phase II archaeological investigation be made on Segment
West A (south) of the spray irrigation system line identified as
Rehoboth crossing a pre-historic site for the not to exceed amount of
Spray \$14,709.86. This brings the contract total to date on the spray
Site field irrigation system investigation to \$21,124.48. This con-
tract amount is also to be added to the George, Miles & Buhr
Construction Administration Contract as a "pass through",
increasing their Contract "20" total to \$556,472.06. This
Motion is contingent on receipt of a letter from MAAR noting
that this work will be billed based on actual costs incurred
with a not to exceed limit, and the County agrees with the
overhead and the MAAR fees.

Motion Adopted: 4 Yea, 1 Nay.

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

Proposed Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE
Ordinance TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESI-
DENTIAL DISTRICT FOR AN ELECTRICAL CONTRACTOR OFFICE AND STORAGE
OF PARTS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING
IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 2.34 ACRES, MORE OR
LESS" (Conditional Use No. 1095) filed on behalf of Harry W.
Mitchell and Vesta A. Mitchell. The Proposed Ordinance will be
advertised for Public Hearing.

Proposed Mr. Collins introduced a Proposed Ordinance entitled "AN ORDINANCE
Ordinance TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL
RESIDENTIAL DISTRICT FOR 117 DRY BOAT STORAGE SLIPS WITHIN AN
EXISTING MANUFACTURED HOME PARK TO BE LOCATED ON A CERTAIN PARCEL
OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY,
CONTAINING 1.99 ACRES, MORE OR LESS" (Conditional Use No. 1096)
filed on behalf of Angola Community Partners, L.L.C. The Pro-
posed Ordinance will be advertised for Public Hearing.

Proposed Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE
Ordinance TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN
AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A GR GENERAL RESIDENTIAL
DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE

Proposed Ordinance (con't) CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 90.28 ACRES, MORE OR LESS" (Change of Zone No. 1245) filed on behalf of Antonio V. Nero and Antonio V. Nero, Jr. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Dukes 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 B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 5.5247 ACRES, MORE OR LESS" (Change of Zone No. 1246) filed on behalf of Kenneth L. Webb and Robert E. Webb. The Proposed Ordinance will be advertised for Public Hearing.

M 460 94 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Benson, to give \$500.00 from Mr. Cole's Councilmanic Account to the Lord Baltimore Parent Teachers Association for the Environmental Learning Center.

Motion Adopted: 5 Yea.

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

Delaware State Police Major Forrester of the Delaware State Police discussed the Delaware State Police Mobile Command Unit and advised Council that the Unit was available for observation following the conclusion of the meeting.

M 461 94 Recess At 12:05 p.m., a Motion was made by Mr. Cole, seconded by Mr. Collins, 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.

Sub-division Appeal The Appellant for Subdivision No. 94-5, C-Con Development Corp., was present to request that the Appeal be withdrawn. Council was advised by Mr. Bayard, County Attorney, that no action was required by Council.

Public Hearing (C/U No. 1091) 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 GUNSMITH SHOP WITH RETAIL SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 41,804 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1091) filed on behalf of Monte B. Whaley. The Public Hearing was closed.

M 462 94 Adopt Ordinance No. 988 (C/U No. 1091) A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Ordinance No. 988 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GUNSMITH SHOP WITH RETAIL SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 41,804 SQUARE FEET, MORE OR LESS"

M 462 94 (Conditional Use No. 1091) filed on behalf of Monte B. Whaley,
(con't) with the following condition:

1. There shall be no commercial firing range on the site.

Motion Adopted: 5 Yea.

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

Findings of Fact The findings of facts and recommendations of the Planning and Zoning Commission were incorporated into the record. The County Council found that the requested conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

Public Hearing (C/Z No. 1241) 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 AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 16,820.7 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1241) filed on behalf of John Darlington. The Public Hearing was closed.

M 463 94 Adopt Ordinance No. 989 A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Ordinance No. 989 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 16,820.7 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1241) filed on behalf of John Darlington.

Motion Adopted: 5 Yea.

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

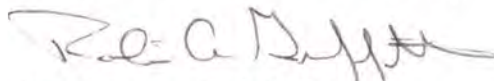
Findings of Fact The Council found that the Change of Zone was appropriate legislative action based upon the following findings of fact:

1. The Change of Zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.
2. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing (C/U No. 1092) A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING (3 UNITS) AND AN OFFICE FOR TOW TRUCKING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 16,820.7 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1092) filed on behalf of John Darlington. The Public Hearing was closed and action was deferred. The record was left open until November 14, 1994, to allow time for the Applicant and the Opposition to submit proposed findings of fact regarding the appropriate conditional use for the property.

M 464 94 Adjourn A Motion was made by Mr. Stevenson, seconded by Mr. Collins, to adjourn at 2:55 p.m. Motion adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council