

## MINUTES OF JANUARY 27, 2020

The regular meeting of the Sussex County Board of Adjustment was held on Monday, January 27, 2020, at 6:00 p.m. in the County Council Chambers, 2 The Circle, Georgetown, Delaware.

The meeting was called to order at 6:00 p.m. with Chair Ellen Magee presiding. The Board members present were: Dr. Kevin Carson, Mr. Jeff Chorman, Ms. Ellen Magee, Mr. John Williamson, and Mr. Brent Workman. Also, in attendance were Mr. James Sharp, Esquire – Assistant County Attorney and staff members Mr. Jamie Whitehouse – Planning Manager, Ms. Lauren DeVore – Planner, and Ms. Ann Lepore – Recording Secretary.

The Pledge of Allegiance was led by Ms. Magee.

Motion by Dr. Carson, seconded by Mr. Williamson, and carried to approve the agenda. Motion carried 5 – 0.

Mr. Chorman was not present at the November 18, 2019, meeting and abstained from voting on the Minutes and the Findings of Fact.

Motion by Dr. Carson, seconded by Mr. Williamson, and carried unanimously to approve the Minutes for the November 18, 2019, meeting. Motion carried 4 – 0.

Motion by Dr. Carson, seconded by Mr. Williamson, and carried to approve the Findings of Facts for the November 18, 2019, meeting. Motion carried 4 – 0.

Mr. Sharp read a statement explaining how the Board of Adjustment meeting is conducted and the procedures for hearing the case.

### **PUBLIC HEARINGS**

**Case No. 12402 – Pamela Price** seek variances from the side yard setback requirements for existing structures (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southeast side of Red Berry Rd. within the Holly Ridge subdivision. 911 Address: 36826 Red Berry Rd., Delmar. Zoning District: AR-1. Tax Parcel: 532-14.00-119.00

Mr. Whitehouse presented the case and stated that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and one mail return. The Applicant is requesting a 2.4 ft. variance from the required 15 ft. side yard setback on the southwest side for an existing overhang for a detached accessory structure and a 1.6 ft. variance from the required 15 ft. side yard setback on the southwest side for an existing shed.

Pamela Price was sworn in to give testimony about the Application.

Ms. Price testified that the uniqueness of the property is that it is pie- shaped; that there is less

room in the front and causes the septic to take up most of the back yard; that the existing detached garage was given a certificate of occupancy; that the garage was measured at that time but the measurement was not accurate; that the lean-to was later added; that the lean-to causes the need for a variance; that the septic system and drain field take up much of the rear yard; that it would ruin the aesthetics of the garage to remove the lean-to; that it was not caused by the Applicant as she purchased the property in its current condition and the previous owner who built the structures is deceased; that the Applicant purchased the property from a bank; that the many of the neighboring properties have similar accessory structures; and that the structures are adjacent to a concrete driveway.

Mr. Whitehouse stated that 2 permits for accessory structures were issued in 2010; that one structure received a CO but the other structure did not; and that he does not know which structure received the CO.

Ms. Price testified that the septic system is in the middle of the rear yard and drain field is to the right thereof; that the garage was likely located in this position due to the driveway; that the structures were placed by a prior owner; that she purchased the properties in December 2019; that she has received no complaints about the structures; that leaving it like it is will make it look complete and finished and an asset to surrounding properties; that it is a minimum variance request to afford relief and bring the property into compliance; and that this is the best location for these structures.

The Board found that no one appeared in support of or in opposition to the Application.

Dr. Carson moved to approve Case No. 12402 for the variances as the property is unique, the exceptional practical difficulty was not caused by the Applicant, and the variances will not alter the essential character of the neighborhood.

Motion by Dr. Carson, seconded by Mr. Chorman, carried unanimously that the **variances be granted for the reasons stated**. Motion carried 5 – 0.

The vote by roll call; Mr. Workman – yea, Mr. Williamson – yea, Dr. Carson – yea, Ms. Magee – yea, and Mr. Chorman - yea.

Ms. Magee recused herself from the following case and left chambers.

**Case No. 12403 – EJV Real Estate, LLC** seek variances from the road frontage requirement for proposed lots (Section 115-83.8 of the Sussex County Zoning Code). The property is located on the west side of Cedar Neck Rd. approximately 475 ft. north of Hickman Rd. 911 Address: 30370 Cedar Neck Rd., Ocean View. Zoning District: CR-1. Tax Parcel: 134-9.00-70.00

Ms. Devore presented the case and stated that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and three mail returns. The Applicant is requesting a 26.2 ft. variance from the required 150 ft. lot width and a 100 ft. variance from the

required 150 ft. lot width for the creation of two lots.

Ms. Shirley Price and Mr. Eric Fiori were sworn in to give testimony about the Application.

Mrs. Shannon Carmean Burton, Esquire, presented the Application on behalf of the Applicant.

Mrs. Burton stated that she represents EJJ Real Estate LLC, which has applied for two variances from the minimum road frontage requirement in order to subdivide the property into two separate lots; that present on behalf of the application are Eric Fiori, who is a member of the EJJ, LLC, and Shirley Price, who is trustee of the current owner of the property; that an exhibit booklet was submitted; that the property is located in the CR-1 district and is currently improved with an existing structure and shed; that the previous owner, Ms. Murray, resided on the property and used the remainder of the property for boat and other storage purposes pursuant to Conditional Use #478; that the property was rezoned from GR to CR-1; that the Applicant, EJJ Real Estate LLC, operates a boat sales and repair business on his property directly across the street from the subject property; that the trustees listed the entire property for sale originally in June 2018 and found it difficult or impossible to sell the property as a whole; that Mr. Fiori would like to purchase a portion of this property identified as the residual lands on the survey; that Mr. Fiori would continue to use the property for storage purposes and he has no intent to add a structure to the residual land at this time; that the contract is contingent on the Board's approval of the variances in order to subdivide the property into two lots; that the property is unique as it is a large, irregularly shaped lot; that there are 3.42 acres of land even though the minimum lot size in a CR-1 district is 10,000 sq. ft.; that there are currently separate entrances for the Ellen Rice Studio and the storage area; that the property functionally appears to be two lots; that, although this property is large, it only has road frontage of 173.8 ft. rather than the minimum of 300 ft. required if subdivided into two lots; that the uniqueness of the property has created the exceptional practical difficulty; that there is no possibility that this property can be developed in the strict conformity of the provisions of the zoning code; that the variances are needed to enable the reasonable use of the property; that the current owners of the property inherited the property with the existing structures and, therefore, did not create the exceptional practical difficulty; that the current owners did not create the lot, the use, or the structures; that the proposed use is the best use of the property; that the variances, if authorized, will not alter the essential character of the neighborhood or district in which the property is located or be detrimental to the public welfare; that the property has been used for multiple commercial uses; that the Applicant seeks to continue the storage use and has no plans to improve the property with any structures at this time; that there are existing separate entrances for the existing structure and the storage area; that the Applicant is unaware of any complaints as to the use and location; and that the variances, if authorized, represent the minimum variances that will afford relief and represent the least modifications possible and will simply allow the subdivision of the property into two lots and enable the trustees to sell a portion of the property to the Applicant.

Ms. Shirley Price confirmed that the statements made by Mrs. Burton were true and correct.

Ms. Price testified that the property has been on the market since June 2018; that no one expressed interest in the total package; that there are a lot of subdivisions in the area that do not allow boats or travel trailers parked on their property and that this is an opportunity to fill that need.

Mr. Eric Fiori testified that he owns the property across the street which he purchased approximately two years ago; that he operates a boat repair and sales facility there; that this property is convenient for his business; that there will be no change in the use of the property; that he is in the process of constructing a boat showroom on his property; and that he wants to continue the current use of the subject property to store boats and RVs.

Ms. Price testified that the use started in the 1970s to complement a nearby bait and tackle shop; that the house is connected to central sewer and, if the residual lands are developed, they would be connected to the sewer as well.

Mr. Paul Reiger was sworn in to give testimony in support of the Application.

Mr. Reiger asked for clarification about the Application and the subdivision of the parcel into two lots or more. He was informed that the parcel was going from one to two lots and that the Applicant is not proposing for the parcel to be further divided.

The Board found that two parties appeared in support of and no parties appeared in opposition to the Application.

Mr. Workman moved to approve Case No. 12403 for the variances as the size and shape make the property unique, the variances are necessary for the reasonable use of the property, that the Applicant is unable to subdivide the property without the variances, granting the variances will not alter the essential character of the neighborhood, and the variances are the minimum variances to afford relief.

Motion by Mr. Workman, seconded by Dr. Carson, carried unanimously that the **variances be granted for the reasons stated**. Motion carried 4 – 0.

The vote by roll call; Mr. Workman – yea, Mr. Williamson – yea, Dr. Carson – yea, and Mr. Chorman - yea.

Ms. Magee returned to chambers.

**Case No. 12405 – Jeffrey A. and Portia D. Ammon** seek variances from the front yard setback, side yard setback and rear yard setback requirements for existing structures (Sections 115-25, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the south side of Double Bridges Rd. approximately 0.49 miles east of Porter House Rd. 362. 911 Address: 36902 Double Bridges Rd., Frankford. Zoning District: AR-1. Tax Parcel: 134-19.00-75.05

Mr. Whitehouse presented the case and stated that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and one mail return. The Applicants are requesting the following variances:

- 4.4 ft. variance from the required 40 ft. front yard setback for an existing building.
- 5.3 ft. variance from the required 40 ft. front yard setback for an existing deck and steps.
- 12.2 ft. variance from the required 20 ft. rear yard setback for an existing lean to.
- 1 ft. variance from the required 5 ft. side yard setback on the west side for an existing shed.

Jeffrey and Portia Ammon were sworn in to give testimony about the Application. Mr. Raymond Tomasetti, Esquire, presented the Application on behalf of the Applicants.

Mr. Tomasetti stated that, since the variance application was submitted, the Applicants were able to move the shed and lean-to on the west side of the Property, so the variance for that shed is not required; that, when the Ammons purchased the property, the garage and existing dwelling were already on the property; that the lot is irregular in shape and unique in character and the house was built on angle and did not fit within the footprint of the building setbacks; that, when the original owner built the house, it was not developed in strict conformance with the zoning ordinance; that the Applicants are seeking variances so that the house and deck can remain in their current location; that the Applicants purchased the Property in 1993; that the Applicants were unaware that the property was not in compliance with zoning code; that the encroachments were discovered when the Applicants obtained a survey prior to listing the property for sale; that the variances are necessary to enable legal use of the property; that the house was built in 1988 so the deck, steps, and existing dwelling were not something created by the Applicants; that the variances will not affect the essential character of the neighborhood as the deck, steps, and house have been in the existing location since the house was built; that the structures have been on the lot for 32 years; that the state owns adjacent lands; that the variances will not be detrimental to the public welfare; and that the variances are the least modifications possible to bring the dwelling and deck into compliance.

Mr. Ammon testified that the shed and lean-to on the west side of the lot have been moved; that the shed and lean-to on the east side of the property cannot be moved because of the placement of the new septic drain field; that the lean-to was used to store antique tractors and farm implements; that the lean-to is attached to the garage; that it would cause structural damage if the lean-to was removed; and that the shed was for an HVAC compressor to keep noise down.

Ms. Ammon testified that the drain field is located behind the house; that the garage would have to be torn down if the lean-to was removed; that the steps and decks were on the property when they purchased the property; that the deck is uncovered; that there have been no complaints from neighbors; that the property is adjacent to a wildlife refuge; that there is approximately 10-15 feet from the edge of paving of the road and the front property line; and that there is a swale between the road and the property line.

Mr. and Ms. Ammon confirmed that the statements made by Mr. Tomasetti as true and correct.

The Board found that no one appeared in support of or in opposition to the Application.

Mr. Chorman moved to approve Case No. 12405 for the variances as the property has unique physical conditions and the exceptional practical difficulty was not caused by the Applicants.

Motion by Mr. Chorman, seconded by Mr. Williamson, carried unanimously that the **variances be granted for the reasons stated.** Motion carried 5 – 0.

The vote by roll call; Mr. Workman – yea, Mr. Williamson – yea, Dr. Carson – yea, Ms. Magee – yea, and Mr. Chorman - yea.

**Case No. 12406 – Kathy Licciardello** seeks a variance from the distance between buildings requirements for proposed structures (Sections 115-188 of the Sussex County Zoning Code). The property is located on the east side of White Cap Ln. approximately 210 ft. northwest of Shady Rd. in the Somerset Green Development. Address: 33120 Whitecap Lane, Lewes. Zoning District: C-1. Tax Parcel: 334-6.00-687.00

Ms. DeVore presented the case and stated that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and one mail return. The Applicant is requesting a 15 ft. variance from the required 40 ft. separation distance requirement for multi-family dwellings for a proposed deck.

Kathy Licciardello, Mauro Licciardello, Dalton Messick, and Courtney Messick were sworn in to give testimony about the Application.

Mr. Courtney Messick testified that he is the builder hired to build a deck for the Applicant and he submitted pictures of the neighborhood; that the separation between the two buildings is 40 ft.; that the proposed deck will be 12 ft. and the request is for a 15 ft. variance; and that neighboring properties have fences and patios.

Mr. Dalton Messick testified that neighboring properties have 6 foot tall fences and paver patios.

Mr. Whitehouse stated that there are a number of buildings in the community with different configurations; that the orientation of the buildings differ and that others may need variances if those units wanted decks; and that this block was designed such that the townhouses were 40 feet away from each other.

Mr. Dalton Messick testified that the variance is necessary because the sides are very narrow; that the houses are close together; that a deck 1 foot away from the house would need a variance; that developer put the houses close together; that the exceptional practical difficulty was not created by the Applicant; that it will not alter the central character of the neighborhood because most houses have privacy fences and at least one paver patio; that it will not impair the neighbor's use of their yard because the fences on one side and the road on the other side; and that 15 ft. is the minimum variance to afford relief.

Mr. Courtney Messick testified that there are other fences on this block; that the ground level paver patio is 4 feet above ground near the swale; that the privacy fence will remain; and that the development was created after 2011.

Mr. Whitehouse stated that there were no other variances granted in the neighborhood.

Mr. Sharp stated that the Board previously granted a fence height variance around the perimeter of the community adjacent to Lowe's and the DelDOT property.

Mr. Courtney Messick testified that the deck will be open; that there are no drainage concerns with the deck; that the steps will be to the side; and that neighbors with pavers are all at ground level.

Mr. Licciardello testified that they have not yet obtained homeowner association approval; that the homeowners association owns the adjacent swale; that the lot goes 15 feet from the house; that it is a better deal for a deck than pavers; and that he is not worried that this will lead to others building.

Mr. Courtney Messick testified that there are doors without steps and there are 3 exits to the house.

Dennis Thompson was sworn in to give testimony in opposition to the Application. Mr. Thompson submitted exhibits to the Board.

Mr. Thompson testified that he owns the property at 33118 White Cap Lane directly adjacent to the lot; that he is in on the executive board and on the architectural review board; that the Applicant has submitted a request to put a deck in the back yard; that the community is a condominium with limited common elements; that the rear yard limited common elements will hold the deck; that the rear yard is adjacent to common area for the drainage swale; that Jessica Watson approved the swale in the neighborhood; that the proposed deck could cause potential damage to that swale and cause the runoff to be impaired; that all homeowners have a similar amount of space and paver patio could be installed; that a paver patio is located off a unit on the same block; that the paver patio is at ground level and the slope towards the swale starts 2 feet after the paver ends; that the deck will affect the integrity of the swale; that the neighbor with pavers took steps to address runoff; that he does not see why the Applicant needs a variance of 15 feet; that the Applicant has 12 feet of limited common

elements; that Lot 42 came out 7 feet for the paver patio; and that other buildings in the community are separated by 40 feet.

Mr. Reiger was previously sworn in and he asked for clarification about the 40 ft. separation distance and if it included accessory structures.

Mr. Whitehouse stated that, if you attach an accessory structure to the dwelling, whether it be a deck, an addition, or a screen porch, it is treated as being part of the dwelling for separation distance purposes because it is attached to the principal structure; and that an unattached deck would create a building code issue.

Mr. Sharp questioned the impact of the deck on drainage.

Mr. Courtney Messick testified that the deck will project out 12 feet and will be supported by girders; that the deck will not inhibit the drainage to the swale; and that a variance of 12 feet is needed.

The Board found that no one appeared in support of and two people in opposition to the Application.

Dr. Carson moved to deny Case No. 12406 for the variance as the property is not unique and the exceptional practical difficulty is created by the Applicant.

Motion by Dr. Carson, seconded by Mr. Chorman, carried unanimously that the **variance be denied for the reasons stated**. Motion carried 4 – 1.

The vote by roll call; Mr. Workman – nay, Mr. Williamson – yea, Dr. Carson – yea, Ms. Magee – yea, and Mr. Chorman - yea.

**Case No. 12393 – Furniture & More** seeks a special use exception to place a tent for special events (Sections 115-80 & 115-210 of the Sussex County Zoning Code). The property is located on the west side of Beacon Dr., north of Lighthouse Rd. 911 Address: 38993 Beacon Dr., Fenwick Island. Zoning District: C-1. Tax Parcel: 134-23.00-3.04

Mr. Whitehouse presented the case and stated that the Office of Planning and Zoning received no correspondence in support of and twelve letters in opposition to the Application and seven mail returns. The Applicant is requesting a Special Use Exception for the placement of a tent for 20 days each calendar year (2 X 10 days) for a period of five (5) years.

Natasha Massey and John McCann were sworn in to give testimony about the Application. An exhibit booklet was submitted to Board members.

Ms. Massey testified that the Applicant is seeking a Special Use Exception for a tent sale



event at the Fenwick Island location to be up for business for ten (10) days for two holidays— Memorial Day and Labor Day – for a total of twenty (20) days a year for a five (5)-year period; that these events are important to the Applicant’s business and mean the difference of ending the year with a profit instead of at a loss; that the Applicant received a permit for this use in 2018; that the tent led to an increase in sales; that tent sales are vital to the business climate; that the Applicant had an operating loss with no tent and an operating profit with the tent; that the special use exception is important to allow a tent because this is a very challenging climate with many brick and mortar stores going out of business; that the Applicant wants to stay open all year for the local community, for its employees, and the local economy; that the money made during the peak time helps ease the financial burden of staying open throughout the entire year; that there are fifty employees that depend on all locations to be open and profitable; that the Property is located near Fenwick Island; that the landlord permits tent sales; that Furniture and More pays for 78% of the parking lot assessments; that the Property has 75 parking spaces and the Applicant has 57 spaces but are only required to have 36 spaces; that most of the parking is taken up by the adjoining restaurant and bar on the property; that the restaurant should have 86 spaces; that the Applicant also operates a U-Haul business on the site; that the U-Haul business has, at most, 4 employees and 6 customers and needs 15 spaces; that the Applicant almost never uses its full allotment of spaces; that the tent would take up only six parking spaces; that there were no incidents or any accidents during the tent sales in 2019; that there is 24-hour security during this period; that staff have asked people to move when they are blocking access to the neighboring community; that the store closes at 6 PM; that the neighboring restaurant is busier at night; that there are costs related to the tent; that there have been problems with patrons of the bar; and that the tent takes up 2,400 square feet.

Mr. McCann testified that the tent will be located to the side of the building closest to the rear and will project out 40 feet; that they drive off the property to access parking spaces; that delivery trucks go off the property to access the rear; that they have a constant problem with the bar patrons; that they have a storage container which takes up 5 spaces; that the Applicant is supposed to have 36 spaces but pays for 75 spaces; that the Applicant uses, on average, 20% of its spaces; that it is rare to have more than 6 customers in the store at one time; that the bar consists of 4,000 square feet; that the neighboring community is a development and another neighboring lot is being developed; that the neighboring communities use the same entrance; that, in addition to the furniture store, they also have a U-Haul business; that they typically have 3-5 U-Haul trucks on site at any one time; that he tries not to tow cars; that the bar (High Stakes) has been a problem and he has complained to the landlord; that he is sympathetic to neighbor concerns about access and he is willing to meet with neighbors; that the owner of High Stakes painted lines for parking spaces in the easement area but they were later covered up; that there were 12 U-Haul trucks on the site in May; that the U-Haul business was not considered at the last hearing; that the trucks project off the property; and that there is a lot of U-Haul business during Memorial Day weekend.

Ms. Massey testified that the U-Haul business could be suspended during the tent sales to allow for additional customer parking

Mr. McCann testified that the tent measures 40 feet by 60 feet; that the Memorial Day sale lasts 6-7 days and the Labor Day event is longer; that they also use space for furniture; that he received lots of complaints but there were no safety issues; that 3 cars blocked a fire hydrant but were removed; that he experienced no issues with access and he polices the site. Mr. McCann showed Board members where the tent would be located on the property.

Jeffrey Geiges and Eunice Carpitella were sworn in to give testimony in opposition to the Application. Ms. Veronica Faust, Esq., appeared on behalf of the opposition.

Ms. Faust stated that she is representing the residents of Lighthouse View; and she gave a PowerPoint presentation showing pictures taken during the tent sale and showing the numerous safety concerns. Ms. Faust stated that there is a 24 unit condominium to the rear of the site, which is where Mr. Geiges and Ms. Carpitella live, and there is an 8 unit condominium under construction adjacent to the site as well; that both communities use the same entrance as the Applicant; and that the entrance is the only access for those communities.

Mr. Geiges reviewed the Power Point presentation and described pictures of cars parking in the easement area and blocking the fire hydrant. Mr. Geiges testified that the concern for Lighthouse View residents is that the tent sale creates considerable safety concerns for the neighbors; that the furniture and tent occupy more than 6 spaces; that there are only 14 spaces in the tent area; that the addition of the U-Haul trucks creates further safety concerns; that there are usually 8 U-Haul trucks parked on the site and some are parked in the easement area; that only one type of U-Haul truck can fit in the normal parking space; that one car parked and blocked egress entirely; that cars park in the easement area when there is no tent; that there were no issues with parking when the Property was used for a Walgreens; that the tent and U-Haul business affect access; that the area is heavily congested; that children walk in that area; that people were blocked from gaining access to their homes and from leaving their home; that he had to ask people to move so they could get their car out; that, in addition to the six parking spaces taken by the tent, the Applicant also has some parking spaces taken when displaying furniture outside the tent; that he believes it will be impossible to get out of his community with the new development, the tent, and the U-Haul business.

Ms. Faust stated that the inspector believed Furniture & More created the new parking spaces; and that the Applicant must demonstrate that the proposed tent will not substantially affect adversely the uses of neighboring and adjacent properties.

Ms. Carpitella testified that they are also competing with the construction on the nearby lands and that has led to creative parking; that the tent aggravates traffic in the area as well; and that, when the permit for the tent was granted, none of them could foresee the addition of the U-Haul trucks and the violations that have occurred.

Mr. McCann testified that the Applicant left the tent up longer than allowed previously because it was cheaper to take it down later; that the Applicant makes money on the U-Haul rentals;

that he disputes the allegations that the Applicant painted the additional parking spaces; that he feels penalized by the bar; that they put furniture outside to entice passers-by to come to the sale and it is a necessary part of the sale; that the outside furniture takes up 8 spaces; that the tent was up 12 days for Memorial Day and 19 days for Labor Day – including set up and tear down; that the Applicant could use a tent measuring 30 feet by 80 feet but it would not be smaller; that he is willing to suspend the U-Haul operation during the tent sale; that he is willing to have a smaller tent and conditions; and that it is not often that more than 3 cars back up trying to turn.

The Board found that no one appeared in support of and three parties appeared in opposition to the Application.

Dr. Carson moved to deny Case No. 12393 for the Special Use Exception as the use will substantially adversely affect the uses of neighboring and adjacent properties.

Motion by Dr. Carson, seconded by Mr. Chorman, carried unanimously that the **Special Use Exception be denied for the reasons stated.** Motion carried 5 – 0.

The vote by roll call; Mr. Workman – yea, Mr. Williamson – yea, Dr. Carson – yea, Ms. Magee – yea, and Mr. Chorman - yea.

### **ADDITIONAL BUSINESS**

#### **Appointment of Board Secretary**

Dr. Carson moved to appoint Mr. Jamie Whitehouse or his designee until such time that an Interim Director of Planning & Zoning is appointed, at which time the Board's Secretary shall be the Interim Director of Planning & Zoning or his/her designee, seconded by Mr. Williamson. Motion carried 5 – 0.

The vote by roll call; Mr. Workman – yea, Mr. Williamson – yea, Dr. Carson – yea, Ms. Magee – yea, and Mr. Chorman - yea.

**Meeting was adjourned at 9:24 p.m.**