

MINUTES OF SEPTEMBER 9, 2013

The regular meeting of the Sussex County Board of Adjustment was held on Monday, September 9, 2013, at 7:00 p.m. in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

The meeting was called to order at 7:00 p.m. with Chairman Callaway presiding. The Board members present were: Mr. Dale Callaway, Mr. John Mills, Mr. Brent Workman, Mr. Jeff Hudson, and Mr. Norman Rickard, with Mr. Everett Moore – County Attorney, and staff members – Mr. Lawrence Lank – Director of Planning and Zoning, and Mrs. Jennifer Norwood – Recording Secretary.

Motion by Mr. Mills, seconded by Mr. Rickard, and carried unanimously to approve the Revised Agenda as circulated. Motion carried 5 – 0.

Motion by Mr. Mills, seconded by Mr. Hudson, and carried unanimously to approve the Minutes of August 5, 2013 as circulated. Motion carried 5 – 0.

Motion by Mr. Rickard, seconded by Mr. Mills, and carried unanimously to approve the Finding of Facts for August 5, 2013 as circulated. Motion carried 5 – 0.

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

PUBLIC HEARINGS

Case No. 11256 – Meals on Wheels Lewes & Rehoboth – north of Route 9 (Lewes Georgetown Highway) 525 west of Ward Avenue (a Private Street) 1,760 feet west of Five Points. (Tax Map I.D. 3-34-5.00-123.00)

An application for a variance from the front yard setback requirement.

Mr. Lank presented the case. Mr. Lank stated that the Office of Planning & Zoning received one (1) letter of support to the Application.

Robert Derrickson was sworn in and testified requesting a variance of seven (7) feet from the sixty (60) feet front yard setback requirement for a proposed roof over existing steps. Mr. Derrickson submitted to the Board exhibits including pictures, a lot and location survey, and letters from neighboring property owners who support the Application. Mr. Derrickson testified that he is the President of the Meals on Wheels Lewes & Rehoboth location; that the Applicant seeks to construct an A-frame roof above the steps into the office; that the existing entrance has no protection during inclement weather; that the proposed roof will protect the front offices from the weather and provide shelter; that the Property is used as an office building; that the Applicant has limited space in the building; that they have experienced significant problems with the entrance when the weather is bad; that the existing steps encroach into the setback; that the proposed A-frame roof will match the existing building; that the setback requirement when the

building was constructed was forty (40) feet and that setback has since been enlarged which creates a unique situation with the Property; that the building is sixty (60) feet from the road; that the Property cannot otherwise be developed; that the variance will not have a negative impact to the neighborhood; that the roof will not alter the character of the neighborhood; and that the variance will enable reasonable use of the Property.

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

Mr. Rickard stated that he would move that the Board recommend approval of Variance Application No. 11256 for the requested variance based on the record made at the public hearing and for the following reasons:

1. The change to the required front yard setback after construction of the building created a unique situation and the Property is unique;
2. The variance is necessary to enable reasonable use of the Property;
3. The difficulty was not created by the Applicant;
4. The variance will not alter the essential character of the neighborhood; and
5. The variance requested is the minimum variance necessary to afford relief.

Motion by Mr. Rickard, seconded by Mr. Workman, and carried unanimously that the variance be **granted for the reasons stated**. Motion carried 5 – 0.

The vote by roll call: Mr. Mills – yea, Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, and Mr. Callaway – yea.

Case No. 11257 – Holly West & Tammy Mundie – northeasterly end of Route 16 at Broadkill Beach northeast of Pintail Lane 650 feet northwest of Alaska Avenue, being Lot 9 Block B within Back Bay development. (Tax Map I.D. 2-30-24.00-74.00)

An application for variances from the front yard setback requirement for a through lot.

Mr. Lank presented the case. Mr. Lank read a letter into the record from Kris Battaglini and Nancy Battaglini stating that they had no objection to the variance request provided that the existing dwelling and deck would not be increased in size and that they would be opposed to any variances needed that would change the current status quo.

Henry Wooding was sworn in and testified requesting a variance of 3.5 feet from the thirty (30) feet front yard setback requirement on Beach Plum Drive for an existing second floor deck and a variance of 8.5 feet from the thirty (30) feet front yard setback requirement on Pintail Drive for an existing dwelling. Mr. Wooding testified that the dwelling was built in the late 1960's or early 1970's; that there have been no changes made to the dwelling since it was first

constructed; that there were no proposed changes to the dwelling; that he sold the Property approximately five (5) years ago but the encroachments went unnoticed; that the decks were present when the previous owner purchased the Property; that the recent sale of the Property required a survey which showed the encroachments; that the variances are necessary to enable reasonable use of the Property because the Applicants would have to tear down a portion of the dwelling to comply with the setback requirements; that the variances do not alter the character of the neighborhood as there are other similar properties in the neighborhood; and that the variances are the minimum to afford relief.

Mr. Mills stated that he would move that the Board recommend approval of Variance Application No. 11257 for the requested variances based on the record made at the public hearing and for the following reasons:

1. The dwelling has been used in its current state for many years;
2. A Certificate of Compliance was issued for the dwelling which creates a unique situation;
3. The variances are necessary to enable reasonable use of the Property;
4. The difficulty was not created by the Applicants;
5. The variances will not alter the character of the neighborhood; and
6. The variances sought are the minimum variances necessary to afford relief.

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

The vote by roll call: Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, Mr. Mills – yea, and Mr. Callaway – yea.

Case No. 11258 – Michelle Benson – southeast of Route One, southeast of Center Avenue, and 90 feet south of Skyview Street, being Lot 59 Block D within Sea Air Village, a Mobile Home Park. (Tax Map I.D. 3-34-13.00-310.00-Unit 19813)

An application for variances from the separation requirement between units in a mobile home park and the maximum allowable lot coverage in a mobile home park.

Mr. Lank presented the case. Dana Hanson was sworn in and testified requesting a variance of four (4) feet from the twenty (20) feet separation requirement between units for a proposed shed, a variance of 5.6 feet from the twenty (20) feet separation requirement between units for a proposed deck, and a variance of forty-one (41) square feet from the maximum thirty five percent (35%) lot coverage requirement in a mobile home park. Ms. Hanson testified that the proposed deck will measure twelve (12) feet by twenty four (24) feet; that the proposed shed could be moved closer to the manufactured home or could possibly get a smaller shed; that the

shed and the deck have not yet been placed on the Property; and that he would like more time to prepare his case.

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

Motion by Mr. Mills, seconded by Mr. Rickard, and carried unanimously that the case be **left open until September 23, 2013 to allow the Applicant more time to prepare its case.** Motion carried 5 – 0.

The vote by roll call: Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, Mr. Mills – yea, and Mr. Callaway – yea.

Case No. 11259 – Maryann W. Vines, Trustee – east of Road 273 (Country Club Road) being northeast of Kings Creek Circle, 25 feet southeast of Patriots Way, and being Lot 192 Section 5 within Kings Creek Country Club development. (Tax Map I.D. 3-34-13.00-1102.00)

An application for a variance from the side yard setback requirement.

Mr. Lank presented the case and read into the record a letter of no objection submitted to the Office of Planning & Zoning by the homeowners association.

Maryann Walsh Vines was sworn in to testify about the Application. William Schab, Esquire, presented the case to the Board on behalf of the Applicant and stated that the Applicant is requesting a variance of 0.4 feet from the fifteen (15) feet side yard setback requirement for an existing dwelling; that the dwelling is not parallel to the lot lines; that the dwelling was built in 1998; and that the encroachment was discovered during settlement in 1998 but the Applicant did not apply for a variance at that time.

Ms. Vines testified that the Property was purchased in 1998 and that the variance was discovered only days prior to her purchase of the Property; that she did not build the house; that the dwelling was built as a spec home; that she cannot bring the house into compliance without removing part of the dwelling; that no neighbors have complained about the location of the dwelling being five (5) inches into the setback area; that her neighbors support the Application; that she believes that the builder obtained a Certificate of Occupancy for the dwelling; and that the location of the dwelling has not altered the character of the neighborhood.

Mr. Schab stated that he believed the standards for granting a variance have been met; that if the variance is not granted, the Property cannot be sold, which is a tremendous hardship; and that the variance request is very minor.

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

Mr. Rickard stated that he would move that the Board recommend approval of Variance Application No. 11259 for the requested variance based on the record made at the public hearing and for the following reasons:

1. The fact that fifteen (15) years has passed since the dwelling was built creates a unique situation;
2. The variance is necessary to enable reasonable use of the Property;
3. The difficulty was not created by the Applicant;
4. The variance will not alter the essential character of the neighborhood;
5. The variance sought is the minimum variance necessary to afford relief; and
6. The variance represents the least modification of the regulation at issue.

Motion by Mr. Rickard, seconded by Mr. Workman, and carried unanimously that the variance be **granted for the reasons stated**. Motion carried 5 – 0.

The vote by roll call: Mr. Mills – yea, Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, and Mr. Callaway – yea.

Case No. 11260 – Charles R. Tollinche – southwest of Road 273 (Country Club Road) being south of White Oak Road, 225 feet southwest of West Side Drive, and being Lot 41 Block 19 within Rehoboth Beach Yacht and Country Club development. (Tax Map I.D. 3-34-19.00-72.00)

An application for a variance from the side yard setback requirement.

Mrs. Lank presented the case. William Schab, Esquire was present on behalf of the Applicant and presented the case and stated that the Applicant is requesting a variance of one (1) foot from the fifteen (15) feet side yard setback requirement for an existing dwelling; that the Applicant was unable to attend the hearing as he lives in New York and, if needed, an affidavit can be obtained and submitted; that the dwelling was built many years ago; that a survey completed prior to settlement showed the encroachment into the setback area; that the lot is unusual, pie shaped lot; that the dwelling was placed at an odd angle on the lot; that the encroachment has gone unnoticed for many years; that the hardship was not created by the Applicant; that there is no practical way to conform to the required setbacks; that neighbors have not complained about the location of the house; that the Applicant wants to leave the dwelling in its current location; that the variance will not alter the character of the neighborhood; that the variance will not have an adverse effect on the neighborhood; that a variance is necessary to enable reasonable use of the Property; that the Property cannot otherwise be developed; and that, without a variance, the Property cannot be sold.

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

Motion by Mr. Mills, seconded by Mr. Rickard, and carried unanimously that the case be **left open strictly for the purpose of the submittal of an affidavit from the Applicant confirming the statements made by Mr. Schab.** Motion carried 5 – 0.

The vote by roll call: Mr. Hudson – yea, Mr. Workman – yea, Mr. Rickard – yea, Mr. Mills – yea, and Mr. Callaway – yea.

Case No. 11261 – Wilbur Rowe & Carol Rowe – southeast of Route One, being southeast of Center Avenue, 250 feet south of Skyview Street, and being Lot 67 Block D within Sea Air Village, a Mobile Home Park. (Tax Map I.D. 3-34-13.00-310.00 Unit 47008)

An application for variances from the separation requirement between units in a mobile home park.

Mr. Lank presented the case. Ronald Simmons was sworn in and testified requesting a variance of 6.9 feet from the twenty (20) feet separation requirement between units in a mobile home park, and a 6.7 feet variance from the twenty (20) feet separation requirement between units in a mobile home park for a proposed sunroom. Mr. Simmons testified that he is a contractor for the Applicants; that the proposed sunroom will measure twelve (12) feet by twenty (20) feet and will be located on the front of the dwelling; that the lots are narrow in the park; that there is no other location on the lot for the proposed sunroom and this creates a difficulty; that the variances will enable reasonable use of the Property; that the variances will not alter the character of the neighborhood; that the park has multiple styles and mixed style additions; that the difficulty was not created by the Applicants; that the Applicants plan to make this their permanent residence and they need more space because the dwelling is small; that the variances will not be detrimental to public welfare; that the addition should raise the values of homes in the neighborhood; that the variances do not impair the uses of adjacent and neighboring properties; that the variances sought are the minimum variances to afford relief; and that the sunroom needs to be at least twelve (12) feet wide to allow for adequate use of the space.

The Board found that three (3) parties appeared in support of the Application.

The Board found that no parties appeared in opposition to the Application.

Mr. Rickard stated that he would move that the Board recommend approval of Variance Application No. 11261 for the requested variances based on the record made at the public hearing and for the following reasons:

1. The Property is unique in shape and size;

2. The Property is only forty (40) feet wide;
3. The variances are necessary to enable reasonable use of the Property;
4. The difficulty was not created by the Applicants;
5. The variances will not alter the essential character of the neighborhood as the use is similar to other uses in the neighborhood; and
6. The variances sought are the minimum variances necessary to afford relief.

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

The vote by roll call: Mr. Mills – yea, Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, and Mr. Callaway – yea.

Case No. 11262 – CMF Bayside, LLC – south of Route 54 on both sides, of East Sand Cove Road (Road 394) and north and east of Williamsville Road (Road 395), being within Village C, Phase 1 Americana Bayside. (Tax Map I.D. 5-33-19.00-301.00)

An application for a variance from the minimum lot width for a parcel and a variance from the minimum square footage for a parcel.

Mr. Lank presented the case. Steve Marsh was sworn in to testify about the Application. James Fuqua, Esquire, presented the case to the Board on behalf of the Applicant. Mr. Fuqua submitted exhibits for the Board to review. The exhibits included a copy of a site plan for Americana Bayside, a copy of minutes of the meeting of the Board of Adjustment for Case No. 8702, and copies of site plans for Village C, Phase 1 of Americana Bayside. Mr. Fuqua stated that the Applicant is requesting a variance of twenty (20) feet from the sixty (60) feet lot width requirement and a 2,500 square feet variance from the minimum 7,500 square feet lot area requirement for lots in proposed Village C, Phase 1 in Americana Bayside.

Mr. Fuqua stated that Village C, Phase 1 is currently undeveloped and vacant; that Americana Bayside was originally approved as a residential planned community (“RPC”) in 2001; that the development was approved for 1,700 residential units including single-family homes, duplexes, and townhouses; that the development also included a commercial center, a golf course, and recreational areas; that the residential areas are designated as phases; that 135 residential units are planned for Village C, Phase 1; that 31 units will be villas or duplexes on 7,500 square feet lots which are permitted by the RPC approvals; that 11 units will be single-family dwellings on 6,000 square feet lots which is consistent with a variance approval granted by the Board of Adjustment in 2004 in Case No. 8702; that out of the proposed 135 lots in this phase, 93 lots will be no less than forty (40) feet wide and 5,000 square feet in size; that the Applicant is required to have a lot width of sixty (60) feet and a lot size of 7,500 square feet for those 93 lots; that the requested variances are not sought to increase density; that the variances will create additional open space in the development; that Americana Bayside is analogous to a

small town; that the proposed dwellings for these lots are considered “patio homes”; that this style home creates a more pedestrian friendly streetscape where homes are closer to the street and the lots are smaller; that there is growing demand for this type of community; that Americana Bayside is a unique development with a unique character; that the Applicant decided to apply for a variance rather than an Ordinance amendment; that the difficulty was not created by the Applicant; that the demand of the market and limitations of the ordinance create the difficulty; that the variances will enable reasonable use of the Property; that the variances will not alter the character of the neighborhood; that the requested variances are the minimum variances necessary to afford relief; that the Board approved a similar variance for lots in Americana Bayside that resulted in an attractive development; and that the proposed patio homes will be concentrated in Village C, Phase 1 of the development.

Mr. Marsh, under oath, confirmed the statements made by Mr. Fuqua.

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

Mr. Rickard stated that he would move that the Board recommend approval of Variance Application No. 11262 for the requested variances based on the record made at the public hearing and for the following reasons:

1. The Property is a Residential Planned Community, which makes it unique;
2. The variances are necessary to enable reasonable use of the Property;
3. The difficulty was not created by the Applicant;
4. The variances will not alter the essential character of the neighborhood;
5. The variances sought are the minimum variances necessary to afford relief; and
6. The variances requested represent the least modification of the regulations at issue.

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

The vote by roll call: Mr. Mills – yea, Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, and Mr. Callaway – yea.

Case No. 11263 – Lewes Auto Mall – north of Coastal Highway (Route One) southeast of Marsh Road (Road 269B) and southwest of Wescoats Road (Route 12). (Tax Map I.D. 3-34-6.00-32.00 & 33.00)

An application for a special use exception to place manufactured home type structure for temporary business and commercial use and a variance from the front yard setback requirement.

Mr. Lank presented the case. James Sekler was sworn in and testified requesting a special use exception to place four (4) manufactured home type structures for temporary sales offices, service and body shop offices and construction offices and a variance of ten (10) feet from the sixty (60) feet front yard setback requirement for a temporary body shop (manufactured home). Mr. Sekler testified that the Applicant is renovating its used car building, its body shop, and its sales building and needed to use four (4) structures to operate its automobile sales business during the construction; that the four (4) structures would be used for construction administration, used car sales, new car sales, and the body shop during the construction period; that the body shop building will be located along Wescoats Road; that the Applicant plans to have the body shop building placed on the grass so that its location will not disturb the renovation efforts; that the Applicant intends to use the buildings for approximately one (1) year; that the proposed manufactured homes are needed to operate the business while under renovation; that there will be no adverse effect to the surrounding properties; that the units will be removed once construction is complete; that he would ask the Board for a two (2) year approval in case there is a delay; that the variance is necessary to enable reasonable use of the Property; that there are utilities on the Property which prevent the unit to be used for the body shop from complying with the setback requirement; that the parking lot will be overlaid; that the Property is unique; that a practical difficulty will exist if they have to move the mobile home to be used for the body shop into the construction area; that the existing building #3 will be renovated and an addition will be made; that General Motors is requiring the Applicant to renovate the site; that the variance will not alter the essential character of the neighborhood; that the variance requested is the minimum variance to afford relief; and that one (1) unit is strictly for a construction office.

Mr. Lank stated that a special use exception is not required for contractor construction trailers.

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

Mr. Mills stated that he would move that the Board recommend approval of Special Use Exception and Variance Application No. 11263 for the requested special use exception for a period of two (2) years for three (3) manufactured home type structures for temporary business and commercial use and variance based on the record made at the public hearing and for the following reasons:

1. The proposed use does not substantially affect adversely the uses of neighboring and adjacent property owners;
2. The temporary need for the structures for construction purposes creates a unique situation;
3. The difficulty was not created by the Applicant;
4. The variance will not alter the essential character of the neighborhood; and

5. The variance sought is the minimum variance necessary to afford relief.

Motion by Mr. Mills, seconded by Mr. Hudson, and carried unanimously that the special use exception and the variance be **granted for the reasons stated for a period of two (2) years for three (3) temporary manufactured home type structures**. Motion carried 5 – 0.

The vote by roll call: Mr. Rickard – yea, Mr. Workman – yea, Mr. Mills – yea, Mr. Hudson – yea, and Mr. Callaway – yea.

Case No. 11264 – Bank of America c/o Riale Realty – south of Road 277 northwest of Boat Dock Drive West, being Lot 52 N ½ Lot 51 Block Y Section 4 within Angola by the Bay development. (Tax Map I.D. 2-34-11.20-239.00)

An application for variances from the front yard and side yard setback requirements.

Mr. Lank presented the case.

Tim Riale was sworn in and testified requesting a variance of 7.2 feet from the thirty (30) feet front yard setback requirement for an existing dwelling and a variance of 5.5 feet from the ten (10) feet side yard setback requirement for an existing porch. Mr. Riale testified that Property is in foreclosure; that in preparing the Property for sale, it was discovered that the dwelling and the porch encroach into the setback areas; that the dwelling and porch were constructed in 1970; that a recent survey showed the encroachments; that the Applicant has been unable to sell the Property due to the encroachments; that it is cost prohibitive to deconstruct the house and rebuild; that difficulty was not created by the Applicant; that the difficulty does not appear to have been created by the previous owner either; that it appears that proper permits were obtained when the dwelling was constructed; that an older survey showed different measurements; that the Applicant chose to use the more recent survey which showed the encroachments; that the Property cannot otherwise be developed; that the variances sought are not detrimental to the public welfare; that the variances sought are the minimum variances to afford relief; and that the fence has been moved into compliance.

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

Mr. Rickard stated that he would move that the Board recommend approval of Variance Application No. 11264 for the requested variances based on the record made at the public hearing and for the following reasons:

1. The two (2) different surveys create a unique situation;
2. The variances are necessary to enable reasonable use of the Property;
3. The difficulty was not created by the Applicant;

4. The variances will not alter the essential character of the neighborhood; and
5. The variances sought are the minimum variances necessary to afford relief.

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

The vote by roll call: Mr. Mills – yea, Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, and Mr. Callaway – yea.

OLD BUSINESS

Case No. 11247 – Sara Absher – south of Route 31 (Dublin Hill Road) west of Road 563 (Bay Road). (Tax Map I.D. 1-31-9.00-20.00)

An application for a special use exception to place a multi-sectional home that is more than five (5) years old.

Mr. Lank provided three (3) photographs of the proposed multi-sectional home which was submitted to the Office of Planning & Zoning by the Applicant for consideration and as requested.

The Board discussed the case which has been tabled since August 5, 2013.

Mr. Mills stated that he would move that the Board recommend approval of Special Use Exception Application No. 11247 for the requested special use exception based on the record made at the public hearing because the use does not substantially affect adversely the uses of adjacent and neighboring properties.

Motion by Mr. Mills, seconded by Mr. Hudson, and carried unanimously that the special use exception be **granted for the reasons stated**. Motion carried 5 – 0.

The vote by roll call: Mr. Workman – yea, Mr. Rickard – yea, Mr. Hudson – yea, Mr. Mills – yea, and Mr. Callaway – yea.

Case No. 11238 – Donald LaVecchia & Elsa LaVecchia – north of Road 362 (Parker House Road) west of Park Circle, being Lot 31 Block 4 within Plantation Park development. (Tax Map I.D. 1-34-16.00-278.01)

An application for a variance from the side yard setback requirement.

Mr. Lank advised the Board that Dean Malloy, Zoning Inspector has verified that the shed has been moved and that the fence has a valid permit and will be reduced in height to be in compliance with the Code.

The Board discussed the case which has been tabled since July 15, 2013.

Mr. Rickard stated that he would move that the Board recommend denial of Variance Application No. 11238 based on the record made at the public hearing since the shed has been moved into compliance and the fence which has a valid building permit will be brought into compliance before the expiration date of the building permit.

Motion by Mr. Rickard, seconded by Mr. Workman, and carried unanimously that the variance be **denied since it is no longer necessary**. Motion carried 5 – 0.

The vote by roll call: Mr. Mills – yea, Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, and Mr. Callaway – yea.

OTHER BUSINESS

Case No. 11016 – SLD Investments, II, L.L.C – east of Route 1 (Coastal Highway) approximately 140 feet north of Delaware Avenue, being Lot 13. (Tax Map I.D. 1-34-23.20-133.00) and east of Route 1 (Coastal Highway) approximately 142 feet south of Maryland Avenue, being Lot 14. (Tax Map I.D. 1-34-23.20-120.00)

An application for a variance from the minimum square footage for a duplex.

A request for a time extension.

Mr. Lank read a letter from the Applicant requesting a one (1) year time extension.

Motion by Mr. Rickard, seconded by Mr. Workman, and carried unanimously that the request for a time extension be **approved for a period of one (1) year**. Motion carried 5 – 0.

The vote by roll call: Mr. Mills – yea, Mr. Hudson – yea, Mr. Rickard – yea, Mr. Workman – yea, and Mr. Callaway – yea.

Meeting Adjourned 8:55 p.m.