



# **Sussex County Council Public/Media Packet**

**MEETING:  
February 9, 2016**

**\*\*DISCLAIMER\*\***

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**Sussex County Council  
2 The Circle | PO Box 589  
Georgetown, DE 19947  
(302) 855-7743**

MICHAEL H. VINCENT, PRESIDENT  
SAMUEL R. WILSON JR., VICE PRESIDENT  
ROBERT B. ARLETT  
GEORGE B. COLE  
JOAN R. DEEVER



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# Sussex County Council

## AGENDA

FEBRUARY 9, 2016

10:00 A.M.

### Call to Order

### Approval of Agenda

### Approval of Minutes

### Reading of Correspondence

### Public Comments

### Todd Lawson, County Administrator

1. Caroling on The Circle Food Drive Recognition
2. Board of Assessment Review Appointment
3. Administrator's Report

### Jim Hickin, Director of Airport and Industrial Park Operations

1. Airport Advisory Committee Appointments

### Old Business:

Conditional Use No. 2017  
Eli and Victoria Zacharia

### Grant Requests

1. Cape Henlopen High School for the Advancement Via Individual Determination (AVID) Program.



2. Indian River Soccer Club for a field construction project.
3. Camp Barnes for renovations.

**Introduction of Proposed Zoning Ordinances**

**Council Members' Comments**

**Executive Session – Personnel pursuant to 29 Del. C. §10004(b)**

**Possible Action on Executive Session Items**

**11:30 a.m. – Sign Ordinance Joint Workshop\***

**Location: Sussex County West Complex – Conference Room**

- \* **Members of the Sussex County Planning & Zoning Commission and Board of Adjustment are invited; a quorum may be present.**

**Adjourn**

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Sussex County Council meetings can be monitored on the internet at [www.sussexcountymd.gov](http://www.sussexcountymd.gov).

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on February 2, 2016 at 4:50 p.m., and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

####

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 5, 2016**

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, January 5, 2016, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
Samuel R. Wilson, Jr.	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Robert B. Arlett	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

Call to Order	<p>The Invocation and Pledge of Allegiance were led by Mr. Vincent.</p> <p>Mr. Vincent called the meeting to order.</p>
M 001 16 Approve Agenda	<p>A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to approve the Agenda, as posted.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
Election of Officers	<p>Mr. Lawson stated that in accordance with Title 9 Section 7002 (e) of the Delaware Code, the County Council must elect officers at its first regularly scheduled meeting each January.</p>
M 002 16 Elect President	<p>A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to elect Michael H. Vincent to serve as President of the Sussex County Council in 2016.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
M 003 16 Elect Vice President	<p>A Motion was made by Mr. Cole, seconded by Mr. Arlett, to elect Samuel R. Wilson, Jr. to serve as Vice President of the Sussex County Council in 2016.</p> <p>Motion Adopted: 5 Yeas.</p>



**M 003 16  
(continued)**

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Council  
Member  
Appoint-  
ments**

Mr. Vincent referenced Council Member appointments for consideration, as follows: Michael Vincent to the Delaware League of Local Governments; George Cole as the Council's representative on the National Association of Counties Board of Directors; Samuel Wilson as the Council's representative on the Sussex Conservation District Board of Directors; Robert Arlett as the Council's representative on the Sussex County Airport Committee; and Joan Deaver and George Cole as the Council's representatives on the Sussex County Land Trust, for the calendar year 2016. It was noted that a list of the appointments was included in Council Packets for this meeting and that the appointments are the same as in 2015.

**M 004 16  
Approve  
Council  
Member  
Appoint-  
ments**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, that the Sussex County Council approves the Council Member appointments to the respective assignments, as presented.

**Motion Adopted:** 5 Yeas.

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Legal  
Appoint-  
ments**

Mr. Vincent referenced the appointments of the County Attorney and Assistant County Attorney who shall serve at the pleasure of the County Government.

**M 005 16  
Appoint  
Legal  
Staff**

A Motion was made by Mr. Arlett, seconded by Mrs. Deaver, that the Sussex County Council reappoints its current legal staff: Everett Moore of Moore & Rutt as County Attorney who shall serve at the pleasure of Council and whose firm shall serve as counsel to the Board of Adjustment and Sussex County Government; and Vince Robertson of Griffin & Robertson as Assistant County Attorney who shall serve at the pleasure of Council and whose firm shall serve as counsel to the Planning and Zoning Commission.

**Motion Adopted:** 5 Yeas.

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Rules of  
Procedure**

Mr. Lawson advised that there are no proposed changes to the Rules of Procedure.

**M 006 16  
Approve  
Rules of  
Procedure**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, that the Sussex County Council approves the Rules of Procedure of the Sussex County Council of Sussex County, Delaware, effective January 5, 2016, as presented.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Minutes**

The minutes of December 15, 2015 were approved by consent.

**Corre-  
spondence**

Mr. Moore read the following correspondence:

**THE FOOD PANTRY AT WESLEY UNITED METHODIST CHURCH,  
LAUREL, DELAWARE.**

**RE: Letter in appreciation of food donations from Caroling on The Circle.**

**GENERATIONS HOME CARE, GEORGETOWN, DELAWARE.**

**RE: Letter in appreciation of grant.**

**DELAWARE LIONS FOUNDATION, CAMDEN, DELAWARE.**

**RE: Letter in appreciation of grant.**

**DELAWARE COMMUNITY FOUNDATION, GEORGETOWN,  
DELAWARE.**

**RE: Letter in appreciation of grant.**

**SUSSEX COUNTY VOLUNTEER DELAWARE 50+ ADVISORY  
COUNCIL, GEORGETOWN, DELAWARE.**

**RE: Letter in appreciation of grant.**

**JUNIOR ACHIEVEMENT OF DELAWARE, WILMINGTON,  
DELAWARE.**

**RE: Letter in appreciation of grant.**

**BOYS & GIRLS CLUBS OF DELAWARE, WILMINGTON, DELAWARE.**

**RE: Letter in appreciation of grant.**

**SUSSEX COUNTY HABITAT FOR HUMANITY, GEORGETOWN,  
DELAWARE.**

**RE: Letter in appreciation of grant.**

**DELAWARE SPCA, GEORGETOWN, DELAWARE.**

**RE: Letter in appreciation of grant.**

Mr. Cole read the following correspondence:

**Correspondence  
(continued)**      **WEST SIDE NEW BEGINNINGS, REHOBOTH, DELAWARE.**  
**RE: Letter regarding the Board of Adjustment's Public Hearing on the**  
**proposed Immanuel Shelter to be located in West Rehoboth.**

**Public  
Comments**      **Public Comments**

**Paul Reiger commented on: (1) the bonus that was given to County employees in December 2015 and (2) the membership of the Planning and Zoning Commission.**

**Dan Kramer commented on: (1) grants to non-profits and (2) maps on the County's website.**

**Consent  
Agenda**      **Consent Agenda**

**M 007 16**      **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to approve the**  
**Approve**      **following items listed under the Consent Agenda:**  
**Items**

**Under**      **Wastewater Agreement No. 1017**  
**Consent**      **Sussex County Project No. 81-04**  
**Agenda**      **Showfield**  
                 **West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District**

**Wastewater Agreement No. 994**  
                 **Sussex County Project No. 81-04**  
                 **The Woods at Arnell Creek**  
                 **West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District**

**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:      Mrs. Deaver, Yea; Mr. Cole, Yea;**  
                                 **Mr. Arlett, Yea; Mr. Wilson, Yea;**  
                                 **Mr. Vincent, Yea**

**Adminis-**      **Mr. Lawson read the following information in his Administrator's Report:**  
**trator's**  
**Report**

**1. Projects Receiving Substantial Completion**

**Per the attached Engineering Department Fact Sheets, the following projects have received Substantial Completion: Coastal Club – Pump Station and Force Main, effective December 14<sup>th</sup>; Lewes Crossing (aka Deep Valley Farm) – Phase 4, effective December 16<sup>th</sup>; and Bishop's Landing – Phase 2, effective December 17<sup>th</sup>.**

**[Attachments to the Administrator's Report are not attachments to the minutes.]**

<b>Bank Resolutions</b>	Mrs. Jennings announced there were no Bank Resolutions for consideration since the officers of the Sussex County Council did not change.
<b>Private Activity Bond Private Activity Bond Volume Cap Reassignment 2015</b>	<p>Mrs. Jennings reported that the County has received correspondence from the State Department of Finance requesting that the unused portion of the County's annual Private Activity Bond Volume Cap be reassigned to the State. The State plans to allocate it to the State Housing Authority. Private Activity Bonds (PABs) are tax-exempt bonds issued by public entities to provide low cost financing for private projects that serve a public purpose. Federal tax law imposes a number of restrictions and requirements on the issuance of PABs. These bonds are for private entities and have no impact on Sussex County government. The IRS requires state and local governments to serve as conduits for these tax-exempt bonds so they will be regulated properly. Mrs. Jennings reported that, typically, every year at this time, the County reassigns its unused portion to the State and she recommended that the Council reassign the County's 2015 unused Private Activity Bond volume cap of \$30,150,000 to the State of Delaware. Mrs. Jennings noted that Sussex County's 2016 allocation is estimated to be \$30,290,000, which represents 10 percent of the State's total allocation.</p>
<b>M 008 16 Reassign Unused Private Activity Bond Volume Cap</b>	<p>A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council reassigns the County's 2015 unused Private Activity Bond Volume Cap in the amount of \$30,150,000 to the State of Delaware.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
<b>Inland Bays RWF Switchgear Replacement</b>	<p>Hans Medlarz, County Engineer, commented on the Inland Bays Regional Wastewater Facility Switchgear Replacement Project (No. 14-17) and he reported that the Engineering Department ran into some inconsistencies in the bidding process. Mr. Medlarz stated that, following a review of the documents, it is recommended that the County reject the bids, revise the documents, and rebid the project.</p>
<b>M 009 16 Inland Bays RWF Switchgear Replacement/Reject Bids and Rebid Project</b>	<p>A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council reject all bids received on December 17, 2015 for Project 14-17, Inland Bays Regional Wastewater Facility – Switchgear Replacement, and authorizes the Engineering Department to rebid the project.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>



**Grant  
Requests**

Mrs. Jennings presented grant requests for the Council's consideration.

**M 010 16  
Council-  
manic  
Grant**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$1,000.00 (\$500.00 ~~from~~ each from Mr. Cole's and Mrs. Deaver's Councilmanic Grant Accounts) to the Cape Henlopen Food Basket for their emergency food service program.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**M 011 16  
Council-  
manic  
Grant**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$1,000.00 from Mr. Vincent's Councilmanic Grant Account to St. John's United Methodist Church for the Seaford Community Food Closet.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Introduction  
of Proposed  
Zoning  
Ordinances**

Mr. Vincent introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 20,833 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1792) filed on behalf of Ray C. & Candice E. Sammons (Tax Map I.D. No. 531-8.00-26.01) (911 Address: 2568 Oak Grove Road, Seaford).

Mrs. Deaver introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EXPANSION OF CONDITIONAL USE NO. 1474 (LANDSCAPING BUSINESS) TO UTILIZE A WAREHOUSE FOR THE STORAGE OF WINE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 10.109 ACRES, MORE OR LESS" (Conditional Use No. 2040) filed on behalf of Sposato Imports (Tax Map I.D. No. 235-22.00-21.01) (911 Address: 16181 Hudson Road, Milton).

**Introduction of Proposed Zoning Ordinances (continued)** Mr. Arlett introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RETAIL AUTO SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 10.0 ACRES, MORE OR LESS" (Conditional Use No. 2041) filed on behalf of Scott Randall Witzke (Tax Map I.D. No. 532-19.00-7.00) (911 Address: 8137 Delmar Road, Delmar).

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A MICROBREWERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 5,000 SQUARE FEET, MORE OR LESS" (Conditional Use No. 2042) filed on behalf of Beachfire Brewing Company, LLC (Tax Map I.D. No. 334-13.20-24.00) (911 Address: 19841 Central Avenue, Rehoboth).

The Proposed Ordinances will be advertised for Public Hearing.

**Proclamation/Indian River High School Boys' Soccer Team** The Council recognized the Indian River High School Boys' Soccer Team upon winning the Delaware Interscholastic Athletic Association Division II title as State Champions for the 2015 season. A Proclamation entitled "A PROCLAMATION TO HONOR THE INDIAN RIVER HIGH SCHOOL BOYS' SOCCER TEAM UPON WINNING THE 2015 DIAA DIVISION II CHAMPIONSHIP" was presented to members of the team who were in attendance.

**M 012 16 Go Into Executive Session** At 10:33 a.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to recess the Regular Session and go into Executive Session for the purpose of discussing matters relating to pending litigation.

**Motion Adopted:** 5 Yeas.

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Executive Session** At 10:35 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to pending litigation. The Executive Session concluded at 11:08 a.m.

**M 013 16 Reconvene Regular Session** At 11:11 a.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to come out of Executive Session and to reconvene the Regular Session.

**Motion Adopted:** 5 Yeas.

**M 013 16**  
**(continued)**

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

## E/S Action

**There was no action on Executive Session matters.**

**M 014 16**  
**Adjourn**

**A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to adjourn at 11:11 a.m.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Respectfully submitted,**

**Robin A. Griffith**  
**Clerk of the Council**

*{An audio recording of this meeting is available on the County's website.}*

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 2, 2016**

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 2, 2016, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

<b>Michael H. Vincent</b>	<b>President</b>
<b>Samuel R. Wilson, Jr.</b>	<b>Vice President</b>
<b>George B. Cole</b>	<b>Councilman</b>
<b>Joan R. Deaver</b>	<b>Councilwoman</b>
<b>Robert B. Arlett</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>Gina A. Jennings</b>	<b>Finance Director</b>
<b>J. Everett Moore, Jr.</b>	<b>County Attorney</b>

The Invocation and Pledge of Allegiance were led by Mr. Vincent.

**Call to  
Order**

Mr. Vincent called the meeting to order.

**M 076 16  
Approve  
Agenda**

A Motion was made by Mr. Arlett, seconded by Mrs. Deaver, to approve the Agenda, as posted.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Minutes**

The minutes of January 26, 2016 were approved by consent.

**Corre-  
spondence**

Mr. Moore read the following correspondence:

**UNION UNITED METHODIST CHURCH, BRIDGEVILLE,  
DELAWARE.**

**RE: Letter in appreciation of food donation.**

**Public  
Comments**

**Public Comments**

Janet Ambrose spoke on behalf of the League of Women Voters of Sussex County in regard to extension requests and the public's inability to access information pertaining to the requests. Ms. Ambrose read a prepared statement from the League's Board of Directors.

**Report**

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



**Administrator's  
Report  
(continued)**

**1. Attorney General – Common Interest Community Ombudsman Meeting**

The Attorney General's Common Interest Community Ombudsman Office will host a joint public meeting to seek public input on issues affecting common interest communities in Sussex County.

The meeting will take place on Saturday, February 6, 2016, at 10:00 a.m. at the Sussex County Association of Realtors® office located at 23407 Park Avenue, Georgetown, Delaware. A copy of the agenda is attached.

**2. Projects Receiving Substantial Completion**

Per the attached Engineering Department Fact Sheets, Family Entertainment Center and Lewes Crossing (aka Deep Valley Farm) – Offsite Sanitary Sewer – Beaver Dam Road received Substantial Completion effective January 27<sup>th</sup>.

[Attachments to the Administrator's Report are not attachments to the minutes.]

**Dewey  
Water  
Agreement**

Mrs. Jennings reported that Sussex County purchases bulk water from the City of Rehoboth to distribute to its customers in Dewey Beach. Due to the expiration of the previous agreement, Engineering and Finance requests Council's approval to enter into a new agreement with the City of Rehoboth for the purchase of bulk water.

Mrs. Jennings reviewed the agreement, with the recommended changes. All changes were made for clarification purposes only; the changes have been reviewed by the County Attorney, the County Engineer, the County Finance Director, and the City of Rehoboth. As in the previous agreement, the contract will be for a term of four years and the rates will increase 6 cents per 1,000 gallons per year. This increase, will be paid using the service charges collected by the Dewey Water customers. This increase, if not absorbed in other areas of the water budget, will equate to about \$4.00 a year per equivalent dwelling unit (EDU).

**M 077 16  
Approve  
Dewey  
Water  
Agreement**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, that the Sussex County Council enter into an Agreement with the City of Rehoboth Beach to purchase water from the City to supply users within the Dewey Beach Water District; the Agreement shall be for a period of four years terminating on December 31, 2020.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Grant  
Requests**

**Mrs. Jennings presented grant requests for the Council's consideration.**

**M 078 16  
Council-  
manic  
Grant**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give \$500.00 from Mrs. Deaver's Councilmanic Grant Account to the Greater Lewes Foundation for the Children's Learning Garden.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**M 079 16  
County-  
wide  
Youth  
Grant**

**A Motion was made by Mr. Arlett, seconded by Mr. Cole, to give \$1,000.00 from Countywide Youth Grants to the Girl Scouts of the Chesapeake Bay Council for Unit 30's expenses.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Public  
Hearing/  
CDBG**

**A Public Hearing was held on the development of a Community Development Block Grant application, which is to be submitted to the Delaware State Housing Authority. The Community Development Block Grant (CDBG) is a federal grant from the Department of HUD to the Delaware State Housing Authority (DSHA). Kent and Sussex Counties compete for the funding by making application to the DSHA.**

**Brad Whaley, Director of Sussex County Community Development & Housing, announced that the purpose of the Public Hearing is to give the citizens the opportunity to participate in the application process. Mr. Whaley stated that Sussex County's application will consist of projects in the County and in the municipalities. He reported that staff has met with all the municipalities who have asked for the County's assistance to make application to the DSHA.**

**Mr. Whaley reported that, over the past five years, the County and the communities within the County have received over \$6.8 million in Community Development Block Grant and HOME funding and have been able to assist 828 households and over 1,307 residents (including housing rehabilitation, demolitions, infrastructure projects, and sewer and water hook-ups).**

**Mr. Whaley advised that part of the CDBG requirements is that a status report be given. Mr. Whaley reported on the allocation of the funding during FY2014: approximately \$1.5 million was received in CDBG & HOME funding and 230 low-to-moderate income households received assistance. Mr. Whaley noted that more than 79% of these projects were**

**Public  
Hearing/  
CDBG  
(continued)**

completed by companies that qualify under Section 3 and/or WBE/MBE/VBE designations.

Mr. Whaley presented a status update for projects in 2015.

Mr. Whaley reviewed the income guidelines and other requirements to qualify for housing rehabilitation.

Mr. Whaley noted that the public hearing on this date is held to collect information to make application for funding. He also noted that in December 2015, a Citizens Participation Forum was held.

Mr. Whaley presented a list of the projects to be submitted to the Delaware State Housing Authority for CDBG funding, as follows:

**Municipality Applications:**

Blades (Rehabs):	\$ 80,000.00
Bridgeville (Rehabs):	\$140,000.00
Dagsboro (Rehabs):	\$ 80,000.00
Ellendale (Rehabs):	\$ 80,000.00
Greenwood (Rehabs):	\$ 80,000.00
Georgetown (Rehabs):	\$105,000.00
Laurel (Rehabs):	\$140,000.00
Milford (Rehabs):	\$105,000.00
Milton (Rehabs):	\$105,000.00
Seaford (Rehabs):	\$140,000.00
Selbyville (Rehabs):	\$105,000.00

**County Application:**

Scattered Rehab:	\$370,000.00
Scattered Demo:	\$ 60,000.00
Scattered Emergency Rehab:	\$ 78,000.00
Scattered Hookups:	\$ 40,000.00
Handicapped Accessibility	\$ 48,000.00
Cool Spring (Rehabs):	\$ 60,000.00
Coverdale (Rehabs):	\$ 60,000.00
Mount Joy (Rehabs):	\$ 60,000.00
Pinetown (Rehabs):	\$ 60,000.00
Rural Ellendale (Rehabs):	\$ 60,000.00
West Rehoboth (Rehabs):	\$ 60,000.00

**TOTAL REQUESTED** **\$2,116,000.00**

Mr. Whaley noted that the total funding available is \$2,000,000 - \$2,500,000 for Sussex and Kent Counties and that the Delaware State Housing Authority will review the applications and determine how the funding will be awarded.

**Public  
Hearing/  
CDBG  
(continued)**

Mr. Whaley stated that, over the years, the County Council has provided funding for emergency projects: FY2013 - \$220,000; FY2014 - \$250,000; FY2015 - \$300,000; and FY2016 - \$100,000. Mr. Whaley reviewed the primary uses for this funding and the number of households assisted.

Mr. Cole suggested that the Council consider allocating additional funding for this program in the FY2017 Budget.

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

**M 080 16  
Adopt  
R 001 16**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to Adopt Resolution No. R 001 16 entitled "RECOGNIZING THE IMPORTANCE OF FAIR HOUSING".

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**M 081 16  
Adopt  
R 002 16**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Resolution No. R 002 16 entitled "AUTHORIZATION TO SUBMIT (COMMUNITY DEVELOPMENT BLOCK GRANT) APPLICATIONS".

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

### **Old Business**

**Old  
Business/  
CZ 1765**

Under Old Business, the Council considered Change of Zone No. 1765 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 29,289 SQUARE FEET, MORE OR LESS" filed on behalf of Red Mill Pointe, LLC. (Tax Map I.D. No. 334-1.00-5.00) (911 Address: Not Available).

The Planning and Zoning Commission held a Public Hearing on this application on March 12, 2015 at which time action was deferred. On April 9, 2015, the Commission recommended that the application be denied.

The County Council held a Public Hearing on this application on April 21, 2015 at which time action was deferred and the record was left open for the submittal of an updated survey by the Applicant. Lawrence Lank, Director



**Old  
Business/  
CZ 1765**

of Planning and Zoning, commented that the issue was DelDOT originally stated that they wanted the front half of the property for dedication to Route 1.

Mr. Lank reported that a letter dated December 3, 2015 was received from Hal Dukes on behalf of the Applicant. In his letter, he stated that they have been working with DelDOT over the past several months and finally received a letter saying there is no immediate plan to widen the highway in front of this parcel. Mr. Lank summarized two letters from DelDOT dated November 6 and December 2, 2015. The letter from Hal Dukes and the two letters from DelDOT were made a part of the record.

Mr. Lank distributed copies of the survey requested by the Council.

**M 082 16  
Adopt  
Ordinance  
No. 2435/  
CZ 1765**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to Adopt Ordinance No. 2435 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 29,289 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1765) filed on behalf of Red Mill Pointe, LLC.

**Motion Adopted:** 5 Yeas.

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Old  
Business/  
CU 2017**

Under Old Business, the Council considered Conditional Use No. 2017 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY 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 22,500 SQUARE FEET, MORE OR LESS" filed on behalf of Eli and Victoria Zacharia (Tax Map I.D. 334-18.00-7.00) (911 Address – 20336 John J. Williams Highway, Lewes).

The Planning and Zoning Commission held a Public Hearing on this application on August 13, 2015 at which time the Commission deferred action. On September 24, 2015, the Commission recommended that the application be denied.

The County Council held a Public Hearing on this application on September 22, 2015 at which time the Council deferred action and left the record open to allow the Applicant to obtain a feasibility study from DNREC that their current septic capacity is adequate for the proposed use,

**Old  
Business/  
CU 2017  
(continued)**

a two unit multi-family dwelling structure within the existing dwelling by conversion of the garage into an apartment. Lawrence Lank, Director of Planning and Zoning, clarified that it is a house with a garage, and the garage is proposed to be converted to an apartment.

Lank reported that on December 30, 2015, DNREC issued Permit No. 231402 to upgrade the existing septic system to allow an increase in the number of bedrooms from 4 to 5 and on January 8, 2016, a Certificate of Satisfactory Completion was issued for the upgrade.

Council members and Mr. Lank discussed garage/studio apartments, multi-family dwelling structures containing two units, separate and attached buildings, guest houses, “mother-in-law” suites, etc.

It was noted that no new structures are proposed.

**M 083 16  
Defer  
Action on  
CU 2017**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to defer action on Conditional Use No. 2017 filed on behalf of Eli and Victoria Zacharia.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Introduction  
of Proposed  
Ordinance**

Mr. Cole introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR THE PURPOSE OF CORRECTING THE NUMBER OF UNITS FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 385 ACRES, MORE OR LESS” (Change of Zone No. 1795) filed on behalf of Bay Forest Club, LLC c/o Natelli Communities, Inc. (Tax Map I.D. No. 134-8.00-15.02 and numerous other parcels) (911 Address: None Available).

The Proposed Ordinance will be advertised for Public Hearing.

**Council  
Members’  
Comments**

**Council Members’ Comments**

Mr. Vincent commented on his attendance at the Delaware League of Local Governments meeting on January 28, 2016 and the discussion that took place regarding beach replenishment funding. A discussion followed regarding funding for beach replenishment, having input on how money is spent (County funding), the possibility of user fees, the beaches as revenue generators, etc.

**M 084 16**  
**Go Into**  
**Executive**  
**Session**

**At 11:20 a.m., a Motion was made by Mr. Arlett, seconded by Mr. Wilson, to recess the Regular Session and go into Executive Session.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Executive**  
**Session**

**At 11:23 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to collective bargaining, personnel, and pending litigation. The Executive Session concluded 11:47 a.m.**

**M 085 16**  
**Reconvene**  
**Regular**  
**Session**

**At 11:51 a.m., a Motion was made by Mr. Arlett, seconded by Mrs. Deaver, to come out of Executive Session and to reconvene the Regular Session.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**E/S Action**

**There was no action on Executive Session matters.**

**M 086 16**  
**Adjourn**

**A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at 11:51 a.m.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Respectfully submitted,**

**Robin A. Griffith**  
**Clerk of the Council**

*{An audio recording of this meeting is available on the County's website.}*

## ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718  
AIRPORT & INDUSTRIAL PARK (302) 855-7774  
ENVIRONMENTAL SERVICES (302) 855-7730  
PUBLIC WORKS (302) 855-7703  
RECORDS MANAGEMENT (302) 854-5033  
UTILITY ENGINEERING (302) 855-7717  
UTILITY PERMITS (302) 855-7719  
UTILITY PLANNING (302) 855-1299  
FAX (302) 855-7773




## Sussex County

DELAWARE  
sussexcountysde.gov  
HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER  
JAMES A. HICKIN, A.A.E.  
AIRPORT MANAGER

### MEMORANDUM

**TO:** Sussex County Council

**THROUGH:** Todd Lawson  
County Administrator

**FROM:** Jim Hickin, A.A.E.   
Airport Manager

**DATE:** February 4, 2016

**RE:** **AIRPORT ADVISORY COMMITTEE APPOINTMENTS**

I am on the February 9<sup>th</sup> agenda to request Council appoint the following members to the Sussex County Airport Advisory Committee:

- |    |   |                          |
|----|---|--------------------------|
| 1. | One representative of the Fixed Base Operator | Garrett Dernoga          |
| 2. | One non-commercial Airport tenant             | Larry Kelley             |
| 3. | One commercial Airport tenant                 | Jeff Reed                |
| 4. | Two Airport-based aircraft owners             | Rick Garner<br>Gus Croll |
| 5. | One Industrial Park tenant representative     | Mark Ryan                |
| 6. | One representative at large                   | Richard Wilson           |
| 7. | County Council Representative                 | Robert Arlett            |

Please feel free to call me at 855-7775 with any questions.

cc: Hans Medlarz, P.E., County Engineer





OLD BUSINESS  
February 9, 2016

This is to certify that the Sussex County Planning and Zoning Commission conducted public hearings on the below listed application for Conditional Use. . At the conclusion of the public hearing, the Commission moved and passed that this application be forwarded to the Sussex County Council with the recommendations as stated.

Respectfully submitted:

COUNTY PLANNING AND ZONING  
COMMISSION OF SUSSEX COUNTY

Lawrence B. Lank  
Director of Planning and Zoning

The attached comments relating to the public hearing are findings of the Planning and Zoning Commission based upon a summary of comments read into the record, and comments stated by interested parties during the public hearing.

**C/U #2017 – Eli and Victoria Zacharia**

**An Ordinance to grant a Conditional Use of land in a MR (Medium Density 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 22,500 square feet, more or less.** The property is located northwest of John J. Williams Highway (Route 24) 365 feet southwest of Spencer Lane, the entrance into Harts Landing Subdivision (911 Address: 20336 John J. Williams Highway, Lewes) Tax Map I.D. 334-18.00-7.00.

Mr. Lank advised the Commission that this application had previously been scheduled for public hearing on June 11, 2015 and that the applicant did not appear; and that the Commission, based on a recent Ordinance, granted permission for the application to be rescheduled since there were health reasons for the lack of the applicants appearance on June 11, 2015.

The Commission found that the applicant provided a survey/site plan with his application for two residential units, and that the survey/site plan depicts the existing improvements on the property. The Commission found that on February 18, 2015 DelDOT provided comments in the form of a Support Facilities Report referencing that the Level of Service “E” of John J. Williams Highway will not change as a result of this proposed application.

The Commission found that on June 9, 2015 the Sussex Conservation District provided comments in the form of a Memorandum referencing that there is one soil type on this property; that the applicant will be required to follow recommended erosion and sediment control practices during any construction and to maintain vegetation after construction; that there are no storm

flood hazard areas affected; that no off-site drainage improvements will be required; that it may be possible that on-site drainage improvements will be required; and that no tax ditches are affected.

The Commission found that on June 9, 2015 the County Engineering Department Utility Planning Division provided comments in the form of a Memorandum referencing that the property is located in the Goslee Creek Planning Area; that the parcel has not been provided with a sewer connection point; that the project is not capable of being annexed into a County operated sanitary sewer district at this time; that conformity to the North Coastal Area Planning Study will be required; that when the County provides central sewer service, the on-site system must be abandoned and a direct connection to the central system is mandatory; and that a concept plan is not required.

The Commission found that Eli Zacharia and Sammy Zacharia were present on behalf of this application and stated in their presentation and in response to questions raised by the Commission that they have an attached garage that has been remodeled for extra living space with a kitchen; that Sammy Zacharia or a seasonal employee will reside in the converted garage unit; that separate electrical meters have already been installed.

Mr. Lank advised the Commission that if the use is approved a minimum of four parking spaces will be required, and that the MR Medium Density Residential zoning classification permits Conditional Use applications for multi-family dwelling structures.

The Commission found that there were no parties present in support of or in opposition to this application.

At the conclusion of the public hearings, the Commission discussed this application.

On August 13, 2015 there was a motion by Mr. Burton, seconded by Mr. Ross, and carried unanimously to defer action for further consideration. Motion carried 3 – 0. Mr. Smith was absent during the vote.

On September 24, 2015 the Commission discussed this application under Old Business.

Mr. Johnson stated that he was not at the public hearing; that he has reviewed the record; and that he would like to participate in the vote.

Mr. Johnson stated that he would move that the Commission recommend denial of Conditional Use No. 2017 for Eli and Victoria Zacharia for multi-family dwelling structures based on the record made during the public hearing and for the following reasons:

- 1) The site is extremely small for two separate dwellings. There is not sufficient room for the parking required for the two separate dwellings and the buildings are very close to Route 24 which makes vehicular movement on the site and to Route 24 unsafe.
- 2) There are no multi-family dwelling structures in the immediate vicinity of this parcel.
- 3) The Applicant has not made a sufficient record to justify the approval of two dwellings. At one time, the Applicant stated that the second unit would be occupied by the

Applicant's family. But, the Applicant also testified that it may be used by the Applicant's employees.

- 4) The Applicant has not made a clear record on how the use will be compatible with the surroundings or how it would not adversely affect neighboring properties or traffic.
- 5) The application does not satisfy the purposes and requirements of a Conditional Use under the Sussex County Zoning Code.
- 6) For all of these reasons, there is not a sufficient reason to recommend approval of this Conditional Use application.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to forward this application to the Sussex County Council with the recommendation that the application be denied for the reasons stated. Motion carried 5 – 0.

**Introduced 05/05/15**

**Council District No. 3 – Deaver  
Tax Map I.D. 334-18.00-7.00  
911 Address – 20336 John J. Williams Highway, Lewes**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY 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 22,500 SQUARE FEET, MORE OR LESS**

**WHEREAS, on the 7th day of April 2015, a conditional use application, denominated Conditional Use No. 2017 was filed on behalf of Eli and Victoria Zacharia; and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2017 be \_\_\_\_\_;**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said 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.**

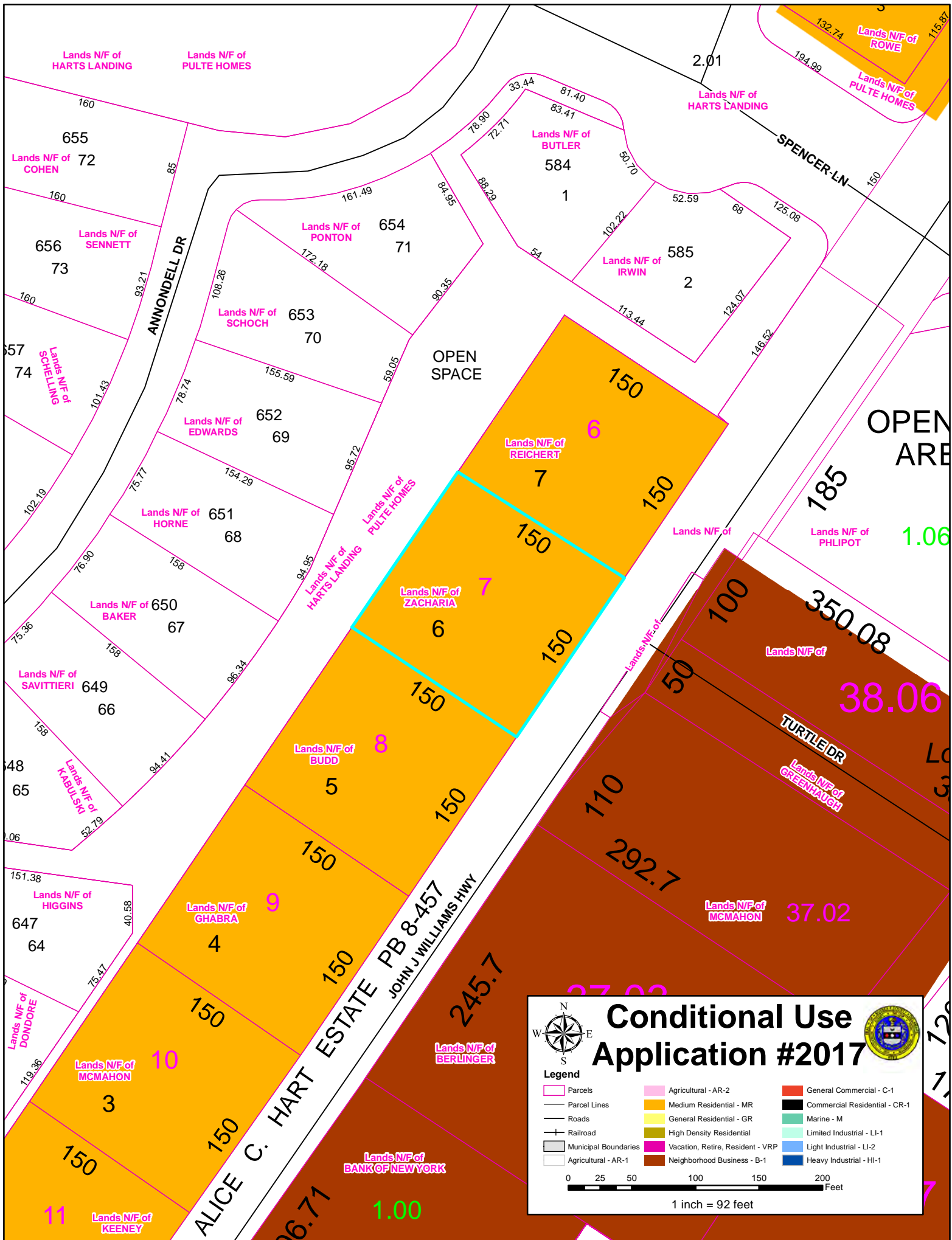
**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

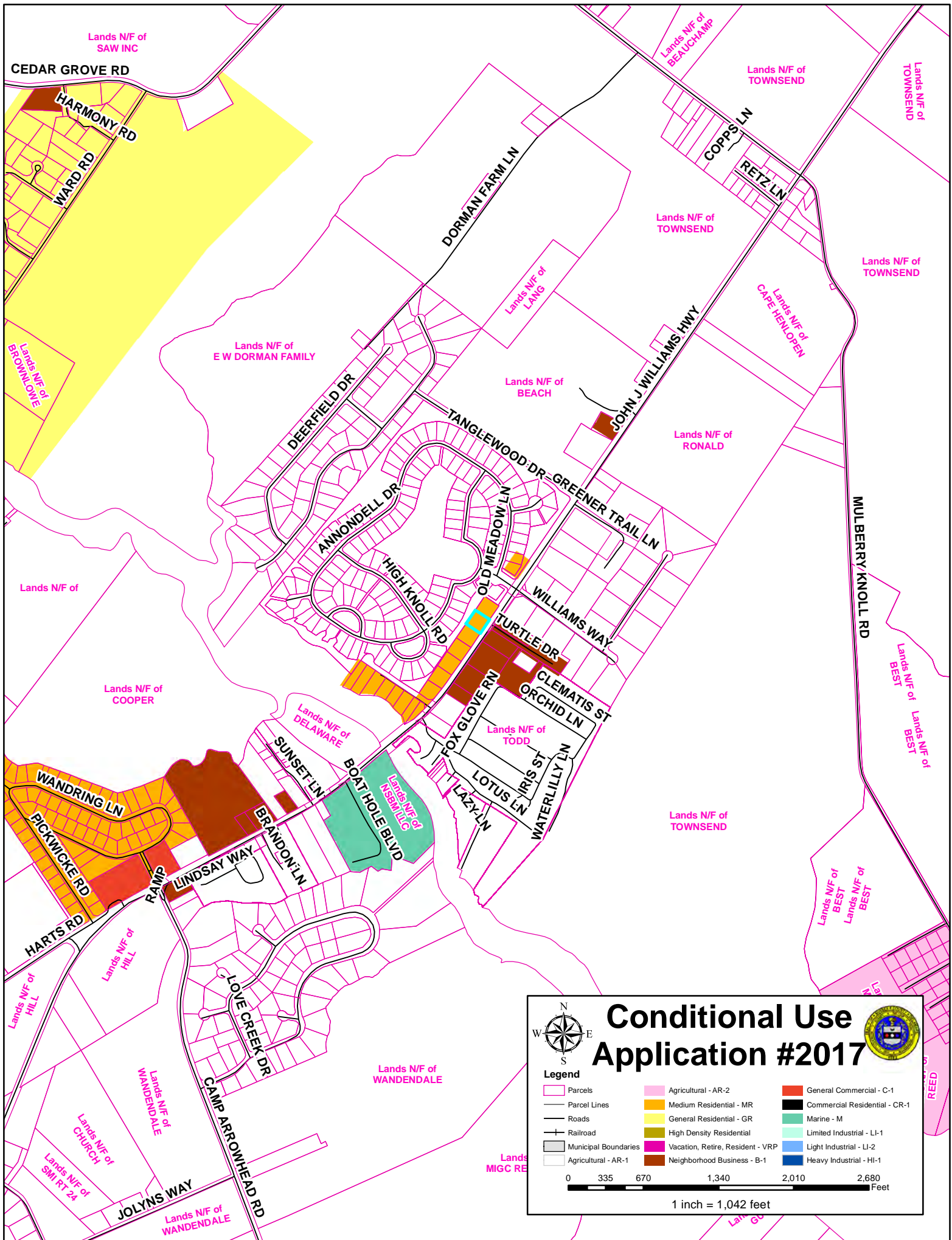
**Section 1. That Chapter 115, Article V, Section 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2017 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as:**

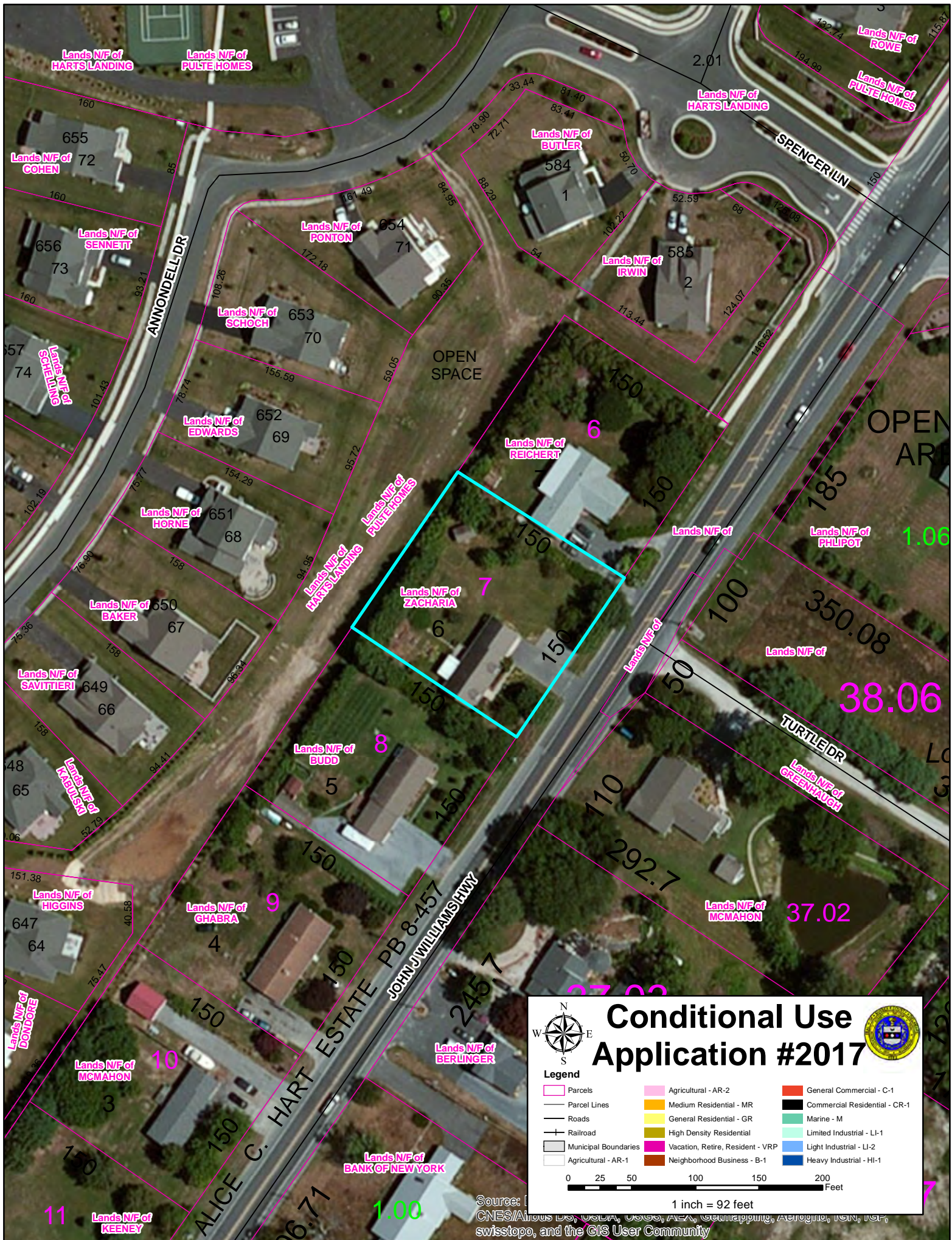
**All that certain tract, piece or parcel of land, lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying northwest of John J. Williams Highway (Route 24), 365 feet southwest of Spencer Lane, the entrance into Harts Landing Subdivision and being more particularly described in Deed Book 3075, Page 89, as recorded in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 22,500 square feet, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**

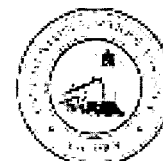












# CAPE HENLOPEN HIGH SCHOOL

BRIAN A. DONAHUE  
PRINCIPAL

MIKE SMITH/CHIEF  
ASSISTANT PRINCIPAL

NIKKI MILLER  
ASSISTANT PRINCIPAL

ANGELA THOMPSON  
ASSISTANT PRINCIPAL

WILLIAM W. (GAIL) COLLICK  
DEAN OF STUDENTS

ROBERT F. CLEMENT, JR.  
ATHLETIC DIRECTOR

1250 KINGS HIGHWAY 1, F.W.S., DE 19958

MAIN OFFICE (302) 645-7711

FAX (302) 645-7356

GUIDANCE (302) 645-7888

GUIDANCE FAX (302) 645-8415

ATHLETIC OFFICE (302) 645-9089

WELLNESS CENTER (302) 644-2946

Dear Sir or Madam:

Ensuring that all students are successful in a rigorous environment will empower students to become tomorrow's leaders. Advancement Via Individual Determination (AVID) is a program that addresses this issue. Through hands-on activities, mentoring, presentations, tutoring, skill development and college field trips, students discover their potential to become successful. The participants are then challenged to take honors and Advanced Placement courses as well as take the PSAT and SAT several times in high school.

AVID is a nationally recognized program dedicated to helping students achieve their goal of going to college. Students considered for AVID are bright students who might be under-achieving, underserved in the college system, or first generation college students. The AVID program provides support, academic monitoring and tutoring.

Students enrolled in this program are expected to maintain enrollment in Advanced Placement (AP) classes, honors or college preparatory classes, maintain a notebook, take at least one page of notes in every class each day, participate in tutorial sessions, and maintain at least a B average (GPA). These students are enrolled in many extra curricular activities such as JROTC, band, honor society, and athletic teams. They are committed to ensuring that their high school education is the foundation in which to build their future success.

We have planned a weeklong college tour for our AVID students in the spring. These students will travel to Virginia and have the opportunity to tour 8-10 colleges and universities. Additionally, students will tour the attractions (historical, museums, arts, etc.) of the area.

We would like to request the Sussex County Government Council's assistance in the form of a \$1000 grant in order to provide this opportunity for the students of the AVID program. A grant of any amount would be greatly appreciated. The students need your help in ensuring that they will be able to attend this college tour and future college visits.

Please know that all sponsors will be recognized officially in writing and at the annual AVID celebration in June.

If you have any questions or would like additional information, please contact Robin Savage at 302-645-7711. Send email inquiries to [robin.savage@cape.k12.de.us](mailto:robin.savage@cape.k12.de.us). More information about the AVID program can be found by visiting [www.avid.org](http://www.avid.org).

Regards,

Robin D. Savage  
AVID Coordinator  
Cape Henlopen High School  
Cape Henlopen School District

January 13, 2016

Councilman Rob Arlett  
Sussex County Council  
PO Box 589  
Georgetown, DE 19947

Dear Councilman Arlett,

Thank you very much for recognizing the Indian River Boys Soccer Team at the county council meeting last week. We appreciate your proclamation recognizing their work and accomplishments.

On another note, on behalf of the River Soccer Club, I briefly mentioned to you a field construction project at our club fields located at 32221 Gum Road, in Roxana, DE. The River Soccer Club has been in existence since 1996 and has been located at our current site since 2001. Our mission is to provide opportunities for the youth in our area to learn and play soccer in an organized and sportsman-like atmosphere.

This fall we had over 650 kids ages 4 to 14 years in our recreational program. We will have a similar number this spring. In addition, we have 15 travel teams with another 225 players ages 8 to 18 years,

While we work very hard to maintain our 7 soccer fields, over time they are showing wear and tear. Two years ago we started to replace the 4 fields that were built in 2001 with state of the art Bermuda grass. In 2014 we replaced one field and a second field in 2015. This year we are looking to replace a 3<sup>rd</sup> field.

The cost to rebuild this field will be about \$22,000. Hence, we are soliciting help with the funding of this project. We are a nonprofit group and would greatly appreciate any help you and the County Council could give us.

Also, if you are aware of any other groups that we may contact, that information would also be helpful. If you have any questions about our request you may reach me at 302-732-6835, or [hgerken@verizon.net](mailto:hgerken@verizon.net), or 31708 Train Lane, Dagsboro, DE 19939.

Sincerely,

Howard Gerken

RSC Project Manager

Cc: Councilman George Cole and Rebecca Mais, RSC President



# SUSSEX COUNTY GOVERNMENT

## DISTRICT 5 - COUNCIL GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

PROJECT NAME: River Soccer Club Field Replacement

FEDERAL TAX ID: 510374913 NON-PROFIT: ☒ YES ☐ NO

ADDRESS: (GPS) 32221 Gum Road, Frankford, DE  
(Mailing) PO Box 1366  
Ocean View DE 19970  
(CITY) (STATE) (ZIP)

PHONE: 302-732-6835 EMAIL: hgerken@verizon.net

CONTACT PERSON: Howard Gerken

TITLE: Board Member, Project Manager

ADDRESS: 31708 Train Lane  
Dagsboro DE 19939  
(CITY) (STATE) (ZIP)

PHONE: 302-732-6835 EMAIL: hgerken@verizon.net

TOTAL FUNDING REQUEST: \$ 2,000.00

Has your organization received other grant funds from  
Sussex County Government in the last year?

☐ YES ☒ NO

If YES, how much was received in the last 12 months? \_\_\_\_\_

Are you seeking other sources of funding other than Sussex County Council?

☒ YES ☐ NO

If YES, approximately what percentage of the project's funding does the Council grant represent? 9 %

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

- |  |  |                                      |
|--|--|--------------------------------------|
| <input type="checkbox"/> Fair Housing                | <input type="checkbox"/> Health and Human Services                           | <input type="checkbox"/> Cultural    |
| <input type="checkbox"/> Infrastructure <sup>1</sup> | <input checked="" type="checkbox"/> Other <u>Recreation --- Soccer Field</u> | <input type="checkbox"/> Educational |

### BENEFICIARY CATEGORY

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Disability & Special Needs | <input type="checkbox"/> Victims of Domestic Violence         | <input type="checkbox"/> Homeless         |
| <input type="checkbox"/> Elderly Persons                       | <input type="checkbox"/> Low to Moderate Income <sup>2</sup>  | <input checked="" type="checkbox"/> Youth |
|  | <input checked="" type="checkbox"/> Other <u>Youth Soccer</u> |   |

### BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:

850 per season (2) = 1700

## SECTION 3: PROGRAM SCOPE

Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

The River Soccer Club is requesting your help in funding the replacement of a soccer field at our soccer field complex at 32221 Gum Road, Frankford, DE.

The River Soccer Club (RSC) has been in existence since 1996 and has been at our existing location since 2001. Our mission is to provide opportunities for the youth in our area to learn and play soccer in an organized and sportsman-like atmosphere.

We offer in both the spring and fall seasons a Saturday Recreational Program for kids ages 4 to 14, a Travel Teams program for ages 9 to 18, and a Top Soccer Program for kids with special needs. We have about 20 kids in our Top program. There are 12 Travel teams with a total of 225 players. This fall we had about 700 players in our Rec program. We expect a similar number of players this spring. About 90% of our Rec and Travel Team players live in Sussex County. All of our Top players live in Sussex County.

In 2001 we had 4 soccer fields. We currently have 7 fields. While we work very hard to maintain our fields, over time they are showing the wear and tear of games, practices and tournaments, particularly those that were built in 2001. In the summer of 2014 we resurfaced one of the original fields with state-of-the-art Bermuda grass as the playing surface. This past summer we replaced the 2nd of the fields with similar success. This year we are planning to replace a 3rd field.

The cost of replacing this field will be around \$22,000. Hence we are soliciting help with the funding of this project. We are a non-profit group that provides wholesome athletic activity for a large number of boys and girls in our area. We greatly appreciate any help you can give us.



#### SECTION 4: BUDGET

<b>REVENUE</b>	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
<b>TOTAL REVENUES</b>	\$ 350.00
<b>EXPENDITURES</b>	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISTION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (put amounts in as a negative)	
Replace playing surface of soccer field #3 with Bermuda Grass.	-\$22000.00
The work will include killing and removing existing grass, gps grading	
of playing surface, replacing existing irrigation sprinkler heads with	
new ones, planting the Bermuda grass, and maintaining the field with	
fertilizer through the fall season.	
<b>TOTAL EXPENDITURES</b>	-\$ 22,000.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	(\$ 21,650.00)

#### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the River Soccer Club agrees that:  
(Name of Organization)

- 1) All expenditures must have adequate documentation.
- 2) All accounting records and supporting documentation shall be available for inspection by Sussex County Government by request.
- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Human Service Grant funds.
- 4) All statements made in this funding request are accurate.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom of Information Act of the State of Delaware.

SIGNATURE: Howard Gerken Digitally signed by Howard Gerken  
Date: 2016.01.28 17:24:57 -05'00'  
(Applicant/Authorized Official Signature)

DATE: January 28, 2016



DATE: January 27, 2016

TO: Sussex County Council

I am Cpl/3 Shawn Hatfield of the Delaware State Police and I am currently assigned to the Troop 4 Youth Aid Division. I am also the Director of Camp Barnes, which is a camp located in Sussex County, and is maintained and operated by the Delaware State Police. Camp Barnes is a free camp for children ages 10-13, who are residents of the state of Delaware. Camp Barnes Inc. is a non-profit organization that has been in existence since 1947. Camp Barnes is the home of the Delaware 4H camps, Special Olympic camps, Wilmington Parks and Recreation camps, and the Delaware Burn Camp.

Over the last 5 years the Sussex County Council has been very generous to our camp when we were in need of assistance. I am writing to you because once again, Camp Barnes needs your help. During our camp weeks the mess hall (kitchen & eating area) is easily the most important building at the camp. The campers and staff use this building multiple times throughout each camp day. It is used to feed the campers and staff during breakfast, lunch, and dinner. It can also be utilized as a classroom, conference area, and a means to shelter campers in inclement weather. The mess hall is in need of improvement in two main areas. The five exterior doors of the mess hall need to be replaced with sturdier doors that can be locked and secured when not in use. Also, the floors of the kitchen and eating area need to be resurfaced so they are easier to clean and are safe to walk on. It is our plan to address the exterior doors this spring. The cost for replacing the doors is approximately \$9,400. Any assistance with this project would be greatly appreciated by Camp Barnes.

I would like to thank the Sussex County Council for your support and taking time to listen to our request. I am always available to attend a Sussex County Council meeting to answer any questions you may have about Camp Barnes and this request. I can be reached at Troop 4 in Georgetown, Delaware at (302-752-3834) or on my cell phone (302-841-3368). Thanks for any consideration in this matter.

Sincerely,

Cpl/3 Shawn Hatfield  
Delaware State Police  
Troop 4 – Youth Aid Division  
Director of Camp Barnes  
(302) 752-3834

**To Be Introduced 2/09/16**

**Council District No. 3 - Deaver**

**Tax Map I.D. No. 235-30.00-63.00 & 63.01**

**911 Address: 26526 Lewes Georgetown Highway, Harbeson**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.9192 ACRES, MORE OR LESS**

**WHEREAS, on the 28<sup>th</sup> day of December 2015, a zoning application, denominated Change of Zone No. 1794 was filed on behalf of JCBB, LLC; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1794 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said 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,**

**NOW, THEREFORE,**

**THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation of CR-1 Commercial Residential District as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**All that certain tract, piece or parcel of land lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying south of Lewes Georgetown Highway (Route 9) 800 feet east of Harbeson Road (Route 5) and being more particularly described in Deed Book 3104, Page 134, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 1.9192 acres, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**

**To Be Introduced 02/09/16**

**Council District No. 4 - Cole**

**Tax Map I.D. No. 334-12.00-127.02, 127.04, 127.05**

**911 Address: None Available**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 35.45 ACRES, MORE OR LESS**

**WHEREAS, on the 15th day of January 2016, a zoning application, denominated Change of Zone No. 1796 was filed on behalf of Lockwood Design & Construction, Inc.; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1796 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said 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,**

**NOW, THEREFORE, THE COUNTY OF SUSSEX COUNTY ORDAINS:**

**Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation of MR Medium Density Residential District as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**All that certain tract, piece or parcel of land lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the northeast side of Warrington Road (Road 275), 0.25 mile southeast of John J. Williams Highway (Route 24), and being more particularly described as follows:**

**BEGINNING at a point on the northerly side of Warrington Road (Road 275), said point being 0.25 mile southeast of John J. Williams Highway (Route 24) and east of lands of**

the City of Rehoboth; thence north 09°33'10" east 404.05 feet along lands of the City of Rehoboth to a concrete monument; thence north 42°06'04" east 774.63 feet along lands of Beebe Medical Center, Inc., to a concrete monument; thence continuing along lands of Beebe Medical Center, Inc., south 53°09'06" east 305.54 feet to an iron pipe and north 40°57'30" east 439.29 feet to an iron pipe; thence south 37°40'32" east 682.80 feet along lands, now or formerly, of Old Landing Road, Inc., to a concrete monument; thence south 08°27'51" west 960.53 feet along lands, now or formerly, of Robino Sea Chase, LLC, and Colleen A. Lowe to an iron pipe on the northerly side of Warrington Road; thence northwesterly by and along the northerly side of Warrington Road 1,491.05 feet to the point and place of beginning, said parcels containing 35.45 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

**To Be Introduced 02/09/16**

**Council District No. 5 - Arlett  
Tax Map I.D. No. 532-13.00-51.00 (Part Of)  
911 Address: None Available**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A LI-2 LIGHT INDUSTRIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 9.822 ACRES, MORE OR LESS**

**WHEREAS, on the 29th day of January 2016, a zoning application, denominated Change of Zone No. 1797 was filed on behalf of John P. Disharoon and Sherry B.; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1797 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said 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,**

**NOW, THEREFORE, THE COUNTY OF SUSSEX COUNTY ORDAINS:**

**Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation of LI-2 Light Industrial District as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**All that certain tract, piece or parcel of land lying and being situate in Little Creek Hundred, Sussex County, Delaware, and lying at the southwest corner of Sussex Highway (U.S. Route 13) and Allens Mill Road (Road 454A), and being more particularly described as Tract 1 in Plot Book 224, Page 78, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 9.822 acres, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**



**To Be Introduced 02/09/16**

**Council District No. 4 - Cole**

**Tax Map I.D. No. 134-11.00-155.00, 153.00, and 83.01**

**911 Address: None Available**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A C-1 GENERAL COMMERCIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.99 ACRES, MORE OR LESS**

**WHEREAS, on the 20th day of November 2015, a zoning application, denominated Change of Zone No. 1798 was filed on behalf of David and Veronica Hamm/Clarksville Auto; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1798 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said 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,**

**NOW, THEREFORE, THE COUNTY OF SUSSEX COUNTY ORDAINS:**

**Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District and C-1 General Commercial District] and adding in lieu thereof the designation of CR-1 Commercial Residential District as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**All that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying northeast of Atlantic Avenue (Route 26) approximately 300 feet northeast of the Clarksville intersection of Omar Road (Route 54) and Powell Farm Road (Road 365), and being more particularly described in attached legal descriptions provided by Karins and Associates, said parcels containing 3.99 acres, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**

TO BE INTRODUCED

October 20, 2015

LEGAL DESCRIPTION OF LANDS OF  
CLARKSVILLE AUTO SERVICE CENTER, INC.  
TAX MAP #1-34-11.00-155.00

All that certain piece, parcel and tract of land being situate in Baltimore Hundred, Sussex County and State of Delaware described more particularly in accordance with a survey by Karins and Associates dated October 19, 2015 as follows to wit:

**BEGINNING** at a point on the new northerly right-of-way line of State Route No. 26 (Atlantic Avenue) a common corner for this parcel and lands now or formerly Herman J. & Ruth E Koenig (T.P. 1-34-11.00-156.00); thence with said right-of-way line South  $73^{\circ}-53'-21''$  West a distance of 311.49 feet to a point a common corner for this parcel and lands now or formerly Ralph E. Powell (T.P 1-34-11.00-154.00); thence turning a leaving said right-of-way line and with said Powell lands North  $21^{\circ}-17'-04''$  West a distance of 351.63 feet to a T-Bar found a common corner for this parcel and said Powell lands; thence turning and continuing with said Powell lands South  $70^{\circ}-43'-39''$  West a distance of 58.40 feet to a T-Bar found a common corner for this parcel, said Powell lands and other lands of Clarksville Auto Service Center, Inc. (T.P 1-34-11.00-153.00); thence turning and with said Clarksville Auto Service Center, Inc. North  $20^{\circ}-51'-04''$  West a distance of 189.07 feet to a point in Clarksville Branch a common corner for this parcel, said Clarksville Auto Service Center, Inc. and lands now or formerly Joan S. Neff. (T.P. 1-34-11.00-161.00) passing over a pipe found at 173.14 feet; thence turning and with "Tie Lines" of said branch, said Neff lands and said Koenig land the following four (4) courses and distances (1) South  $66^{\circ}-18'-56''$  East a distance of 80.70 feet to a point (2) North  $89^{\circ}-50'-13''$  East a distance of 46.42 feet to a point (3) South  $75^{\circ}-07'-57''$  East a distance of 91.57 feet to a point (4) South  $15^{\circ}-52'-47''$  East a distance of 157.98 feet to a point: thence continuing in part with said branch and said Koenig lands South  $50^{\circ}15'-37''$  East a distance of 197.46 feet to a rebar a common corner for this parcel and said Koenig lands; the continuing with said Koenig lands the following three (3) courses and distances (1) South  $59^{\circ}-32'-08''$  East a distance of 27.21 feet to a rebar found (2) South  $78^{\circ}-03'-24''$  East a distance of 74.57 feet to a rebar found (3) South  $54^{\circ}-09'-22''$  East a distance of

60.49 feet to a point on said new northerly right-of-way line a said State Route No. 26 passing over a rebar found at 55.54 feet home to the point and place of beginning said to contain 1.47 acres of land more or less.

October 20, 2015

LEGAL DESCRIPTION OF LANDS OF  
CLARKSVILLE AUTO SERVICE CENTER, INC.  
TAX MAP #1-34-11.00-153.00

All that certain piece, parcel and tract of land being situate in Baltimore Hundred, Sussex County and State of Delaware described more particularly in accordance with a survey by Karins and Associates dated October 19, 2015 as follows to wit:

**BEGINNING** at a point on the new northerly right-of-way line of State Route No. 26 (Atlantic Avenue) a common corner for this parcel and lands now or formerly Ralph E. Powell (T.P. 1-34-11.00-154.00); thence with said right-of-way line and a curve to the right having a radius of 479.30 feet, the central angle being  $15^{\circ}-42'-47''$ , the arc distance being 131.44 feet the chord bearing South  $87^{\circ}-25'-38''$  West a distance of 131.03 feet to a point a common corner for this parcel and lands now or formerly David R. Hamm (T.P. 1-34-11.00-83.01); thence turning a leaving said right-of-way line and with said Hamm lands North  $20^{\circ}-00'-59''$  West a distance of 459.11 feet to a concrete monument found a common corner for this parcel, said Hamm lands and lands now or formerly Gregory T & Patricia P. White passing over a concrete monument found at 259.53 feet; thence turning and with said White lands North  $01^{\circ}-02'-21''$  East a distance of 73.67 feet to a point in Clarksville Branch passing over a wood post found at 27.73 feet a common corner for this parcel, said White lands and lands now or formerly Joan S. Neff (T.P. 1-34-11.00-161.00); thence turning and with a "Tie Line" of Clarksville Branch and said Neff lands North  $89^{\circ}-35'-34''$  East a distance of 96.40 feet to a point a common corner for this parcel and other lands now or formerly Clarksville Auto Service Center, Inc. (T.P. 1-34-11.00-155.00); thence turning and leaving said branch and said Neff lands and with said Clarksville Auto Service Center, Inc. South  $20^{\circ}-51'-04''$  East a distance of 189.07 feet to T-Bar found a common corner for this parcel, said Clarksville Auto Service Center, Inc. and said Ralph E. Powell lands passing over a pipe found at 15.93 feet; thence turning and with said Powell lands South  $20^{\circ}-51'-04''$  East a distance of 345.78 feet home to the point and place of beginning said to contain 1.47 acres of land more or less.

October 20, 2015

LEGAL DESCRIPTION OF LANDS OF  
DAVID R.HAMM AND VERONICA Y. HAMM  
TAX MAP #1-34-11.00-83.01

All that certain piece, parcel and tract of land being situate in Baltimore Hundred, Sussex County and State of Delaware described more particularly in accordance with a survey by Karins and Associates dated October 19, 2015 as follows to wit:

**BEGINNING** at a point on the new northerly right-of-way line of State Route No. 26 (Atlantic Avenue) a common corner for this parcel and lands now or formerly Clarksville Auto Service Center (T.P. 1-34-11.00-153.00); thence with said right-of-way line the following seven (7) courses and distances (1) with a curve to the right having a radius of 479.30 feet, the central angle being  $05^{\circ}-50'-33''$ , the arc distance being 48.88 feet the chord bearing North  $81^{\circ}-47'-42''$  West a distance of 48.85 feet to a point (2) North  $11^{\circ}-07'-33''$  East a distance of 50.00 feet to a point (3) with a curve to the right having a radius of 449.30 feet, the central angle being  $09^{\circ}-40'-24''$ , the arc distance being 75.85 feet, the chord bearing North  $73^{\circ}-48'-41''$  West a distance of 75.76 feet to a point (4) South  $21^{\circ}-15'-03''$  West a distance of 20.00 feet to a point (5) with curve to the right having a radius of 449.30 feet, the central angle being  $03^{\circ}-22'-30''$ , the arc distance being 26.47 feet, the chord bearing North  $67^{\circ}-03'-40''$  West a distance of 26.46 feet to the point (6) North  $27^{\circ}-03'-57''$  West a distance of 47.70 feet to a point (7) North  $01^{\circ}-22'-19''$  East a distance of 54.10 feet to a pipe found a common corner for this parcel and lands now or formerly Gregory T. and Patricia P. White (T.P. 1-34-11.00-152.00); thence leaving said right-of-way line and with said White lands North  $01^{\circ}-22'-01''$  East a distance of 266.06 feet to a concrete monument found a common corner for this parcel, said White lands and lands now or formerly Clarksville Auto Service Center, Inc. (T.P. 1-34-11.00-153.00); thence turning and with said Clarksville Auto Service Center, Inc. South  $20^{\circ}-00'-59''$  East a distance of 459.11 feet passing over a concrete monument found at 199.57 feet home to the point and place of beginning said to contain 0.63 acres of land more or less.



**To Be Introduced 2/09/16**

**Council District No. 2 – Wilson**

**Tax I.D. No. 430-23.00-41.00**

**911 Address: 20956 Coverdale Road, Bridgeville**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR AN EXPANSION OF AN EXISTING BORROW PIT OPERATION LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 7.85 ACRES, MORE OR LESS**

**WHEREAS, on the 3rd day of November 2015, a conditional use application, denominated Conditional Use No. 2044 was filed on behalf of Edward J. Kaye; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2044 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said 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.**

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2044 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land, lying and being situate in Nanticoke Hundred, Sussex County, Delaware, and lying northwest of Coverdale Road (Road 525), 1,128 feet southwest of Martin Luther King Avenue and being more particularly described as follows:**

**BEGINNING at a point on the northwesterly right-of-way of Coverdale Road (Road 525), a corner for these subject lands and lands, now or formerly, of Douglas P. Corey; thence south 47°03'46" west 1,220.31 feet along the northwesterly right-of-way of Coverdale Road to a concrete monument; thence north 12°55'33" west 755.89 feet and north 12°53'52"**

west 239.41 feet along lands, now or formerly, of Earthmovers, LLC to a utility pole; thence south 78°17'29" east 685.16 feet along aforementioned lands of Douglas P. Corey to the point and place of beginning, and containing 7.827 acres, more or less, per survey by Simpler Surveying & Associates, Inc., said parcel containing 7.85 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

TO BE INTRODUCED

**To Be Introduced 02/09/16**

**Council District No. 4 – Cole**

**Tax I.D. No. 334-12.00-127.02, 127.04, 127.05 and 69.08 – 69.11**

**911 Address: None Available**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY 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 35.45 ACRES, MORE OR LESS**

**WHEREAS, on the 15th day of January 2016, a conditional use application, denominated Conditional Use No. 2046 was filed on behalf of Lockwood Design and Construction, Inc.; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2046 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said 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.**

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article V, Subsection 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2046 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land, lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the northeast side of Warrington Road (Road 275) 0.25 mile southeast of John J. Williams Highway (Route 24) and being more particularly described as follows:**

**BEGINNING at a point on the northerly side of Warrington Road (Road 275), said point being 0.25 mile southeast of John J. Williams Highway (Route 24) and east of lands of the City of Rehoboth; thence north 09°33'10" east 404.05 feet along lands of the City of Rehoboth to a concrete monument; thence north 42°06'04" east 774.63 feet along lands of Beebe Medical Center, Inc., to a concrete monument; thence continuing along lands of Beebe**

**Medical Center, Inc., south 53°09'06" east 305.54 feet to an iron pipe and north 40°57'30" east 439.29 feet to an iron pipe; thence south 37°40'32" east 682.80 feet along lands, now or formerly, of Old Landing Road, Inc., to a concrete monument; thence south 08°27'51" west 960.53 feet along lands, now or formerly, of Robino Sea Chase, LLC, and Colleen A. Lowe to an iron pipe on the northerly side of Warrington Road; thence northwesterly by and along the northerly side of Warrington Road 1,491.05 feet to the point and place of beginning, said parcels containing 35.45 acres, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**