



Town of Wyoming  
Special Meeting of Wyoming  
Mayor, Council and  
Planning & Zoning  
Wyoming Municipal Building  
Wednesday March 11, 2020, 6:30 p.m.

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CALL TO ORDER – Mayor Rife called the meeting to order at 6:33 p.m.

PLEDGE OF ALLEGIANCE – Mayor Rife

MOMENT OF SILENCE– Mayor Rife

ROLL CALL

Council Attending: Mayor, Dale Rife; Vice-Mayor, Doug Denison; Secretary, Tracy Johovic; and Treasurer, Kyle Dixon;

Council Absent: Councilperson, Carlen Kenley

Planning & Zoning Attending: Lydia Allen; David Outten; and Randy Richardson

Planning & Zoning Absent: Ashley Spencer; and Ernie Piazza

Staff Attending: Office Manager, Laura Connor, Town Clerk, Roseann Lamar

Public Attending: Steven Bilbrough, Charlotte Dixon, Marcus Alfaro, Mike Wolfer, G. David Outten, C. Tulson, Bianca Corbit, Amanda Brue, Rich Greene Jr.

*Mr. Denison moved with a motion, with a second by Mr. Dixon to accept the absence of Carlen Kenley, Ashley Spencer and Ernie Piazza. Mayor Rife, Mrs. Johovic, Aye. None Opposed. Motion carried.*

PUBLIC COMMENTS

- None

## ADOPTION OF AGENDA

*Mr. Denison moved with a motion, with a second from Mr. Dixon, Mayor Rife, Mrs. Johovic, Aye. None Opposed. Motion carried.*

## CONDITIONAL USE

Barrett Edwards (Town Solicitor) Read over the proposed draft for the Conditional Use Ordinance for a revised updated to version to of the Town of Wyoming Ordinance #50-21. Highlighted are some of the provisions that he would recommend further looking into. Also made the suggestion of the town providing Kent County recorder of deeds a one page document in reference to the property having a Conditional Use. It will not be required for a Owner to reapply for a New Conditional Use if they already have one. This will only affect new Owner going forward. If renting a property the tenant will apply for the Conditional Use for which they intend to use the property for.

## Council Comments

Mr. Denison stressed his concerns in regards as to how it states now in our code that there is no expiration dates set upon Conditional Uses. How at this time the Conditional Use stays with the property not with the owner. Referenced how other towns use different codes and set guidelines on their conditional uses for new home owners that buy a property that already has a Conditional Use prior to purchase.

Mayor Rife stated how there are a lot of steps that go into getting a Conditional Use as well as the cost and the amount of time it takes in order to get one. When applying for a Conditional Use there are a lot of rules and regulations that have to be followed in the process.

Mrs. Dixon stated that she obtained her Conditional Use in 1993 and back then she had to have a public hearing and appear before council. Mrs. Dixon questioned if the process for obtaining a Conditional Use was similar to the process as to which she did in 1993.

Mr. Denison Confirmed that the process will remain along the same guidelines. And by revising this Ordinance they could add more restrictions to a Conditional Use if the council saw fit.

Mrs. Dixon then stated that also when she was in the process of getting her Conditional Use she was asked questions as to would there be any storing of paint cans, about parking of cars. Will there be a lot of noises or playing of music or hammering going on in the home. She was also told she could not have any Neon signs.

Mrs. Dixon stated that a Conditional Use on one's property will bring the value of that property up.

Barrett Edwards (Town Solicitor) Discussed and went over the proposed draft for the revised Conditional Use in reference to Mrs. Dixon's questions. He also presented sum examples of how other towns go about doing their Conditional Use's using examples from both Georgetown and Lewes DE. Stated that the revised Conditional Use ordinance does not affect any of the current Conditional Uses that the town currently has it will only apply to future Conditional Uses. No one would need to reapply that currently has a Conditional Use. As far as setting how long a

Conditional Use is good for that can be something that can be added. Mentioned the next steps in which the Town would need to go in with moving forward with revising this Ordinance.

Mr. Bilbrough asked using Grace & Mercy Church as an example if a new owner took over the church and they rented it out to new tenants would it still remain a church. Mr. Edwards stated that based on the way the ordinance reads now everything would stay the same. But with the new proposed ordinance a new Conditional Use would have to be applied for if the tenant were to change. Mr. Bilbrough also asked if the current tenants were to leave would a new Conditional Use have to be applied for.

#### Discussion Ensues

Mr. Marasco questioned with the new Conditional Use Ordinance would you have to reapply if you already have a Conditional Use. Will Conditional Uses have a time limit set on them as far as when they will expire. How many Conditional Uses are currently in town at this time. Did not see a need at this time to send anything to the Recorder of Deeds about the property having a Conditional Use.

Mr. Denison stressed his concern with how as of right now the Owner of property has the Conditional Use in their name and they have tenants that change and come and go. Would like to see that stop. Would like to see where the tenant applies to get Conditional Use each time it changes. Would like better records kept on how many properties have Conditional Uses so we can easily access them. Mr. Denison would like to proceed with the next step in the process of getting this Ordinance revised. The next step at this time will be to add this to the Agenda at the next Planning & Zoning meeting on March 25, 2020.

#### EXECUTIVE SESSION

None

#### ADJOURN

*Mayor Rife moved with a motion, second by Mr. Denison to adjourn the meeting. Mrs. Johovic, Mr. Dixon, Aye. None opposed. Motion carried.*

The meeting adjourned at 7:55 p.m.

Roseann Lamar  
Town Clerk