

ORDINANCE NO. 2495

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 NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 0.71 ACRES, MORE OR LESS

WHEREAS, on the 25th day of October 2016, a zoning application, denominated Change of Zone No. 1816 was filed on behalf of Bruce Fisher.; and

WHEREAS, on the 23rd day of March 2017, 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. 1816 be approved; and

WHEREAS, on the 9th day of May 2017, 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 Northwest Fork Hundred, Sussex County, Delaware, and lying at the southeast corner of Sussex Highway (U.S. Route 13) and Camp Road (Road 532) and being more particularly described in Deed Book 3853, Page 195, in the Office of the Recorder of Deeds, in and for Sussex County, said parcel containing 0.71 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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2495 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 9TH DAY OF MAY 2017.

**ROBIN A. GRIFFITH
CLERK OF THE COUNCIL**

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

- A. This is the application of Bruce Fisher 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 Northwest Fork Hundred, Sussex County, containing 0.71 acres, (located at the southeast corner of Sussex Highway (U.S. Route 13) and Camp Road (Road 532) (Tax I.D. No. 131-19.00-10.01) (911 Address: 20446 Camp Road, Bridgeville).**
- B. Based on the record before the Planning and Zoning Commission and the hearing before the Sussex County Council, Council found that Bruce Fisher, was present on behalf of his application; that he stated there are a lot of commercial properties in the area; that there was a former garage across the street; that there is a farm stand to the north of this property; that some trees are to be preserved and any undergrowth to be removed; and that the entrance will be off Camp Road.**
- C. Based on the Findings (1 through 6) of the Planning & Zoning Commission, Council found that:**
 - 1. The site is in an area of Route 13 at the intersection with Camp Road. It is a triangle-shaped property bounded on one side by Route 13 and the other side by Camp Road. This is an appropriate location for CR-1 zoning.**
 - 2. The site is in an area of Route 13 where other commercial and industrial zoning exist. It is also very near the boundary of the Town of Bridgeville. This is an appropriate location for CR-1 zoning.**
 - 3. The rezoning to CR-1 in this location will not have an adverse impact upon adjacent roads, properties, community facilities or the neighborhood in general.**
 - 4. The rezoning meets the purpose of the Zoning Code in that it promotes the orderly growth, convenience, order, prosperity and welfare of the County.**
 - 5. The rezoning is in compliance with the Sussex County Comprehensive Plan, which states that CR-1 zoning is one of several appropriate zoning classifications for this location.**
 - 6. No parties appeared in opposition to this application.**
- D. Based on the record created before the Planning and Zoning Commission and the Sussex County Council, the Council approved this application.**