

RESOLUTION NO. R 009 84

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR USED CAR SALES, REPAIR AND AUTO BODY SHOP AND SALVAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 6.07 ACRES MORE OR LESS

WHEREAS, on the 7th day of November, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for used car sales, repair and auto body shop and salvage, denominated C/U #773, was filed on behalf of Herbert West T/A West Auto Repair and Used Cars; and

WHEREAS, on the 22nd day of December, A. D. 1983 a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #773 be approved; and

WHEREAS, on the 10th day of January, A. D. 1984 a public hearing, after notice, was held before the County Council of Sussex County on C/U #773 and having heard and considered the public comments made at such hearing and the County Council having found as follows:

(a) That the Conditional Use applied for is for the general convenience and welfare of the inhabitants of Sussex County;

(b) That the location is appropriate for the Conditional Use applied for and not in conflict with the Comprehensive Plan;

(c) That the public health, safety, morals and general welfare of the inhabitants of Sussex County will not be adversely affected;

(d) That adequate off-street parking facilities will be provided;

(e) That the necessary safeguards will be provided for the protection of surrounding property, persons and neighborhood values; and

(f) That the additional standards of Ordinance 97, Article 10, Section 1 et seq. will be complied with,

NOW, THEREFORE,

BE IT RESOLVED that the application of Herbert West T/A West Auto Repair and Used Cars for a Conditional Use of land in an AR-1 Agricultural Residential District for used car sales, repair and auto body shop and salvage to be located in Little Creek Hundred, Sussex County, be and the same is hereby granted; and


BE IT FURTHER RESOLVED that the description of the land which is the subject of this application is more particularly described as follows:

ALL that certain tract, piece or parcel of land lying and being in Little Creek Hundred, Sussex County, Delaware, and lying on the west side of Route 13A, 175' more or less north of Route 454A and being more particularly described as follows:

BEGINNING at a monument found on the westerly right of way of Route 13A, a corner for these lands and lands now or formerly of Red and White Mills; thence north $68^{\circ} 10' 00''$ west 629.83 feet along lands now or formerly of Red and White Mills to a monument; thence north $21^{\circ} 21' 23''$ east 423.00 feet to a monument; thence south $69^{\circ} 31' 31''$ east 259.88 feet to a point; thence south $67^{\circ} 27' 01''$ east 356.82 feet to a point on the westerly right of way of Route 13A; thence southerly with the westerly right of way of Route 13A, 424.85 feet to the point and place of beginning and containing 6.07 acres more or less as surveyed by Gene R. Littleton; and

BE IT FURTHER RESOLVED that this Conditional Use is granted subject to compliance with Ordinance No. 97, the Comprehensive Zoning Ordinance of Sussex County, as amended.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R Q09 84 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 10TH DAY OF JANUARY, 1984.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL