

RESOLUTION NO. R 011 84

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BORROW PIT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 9.6 ACRES MORE OR LESS

WHEREAS, on the 4th day of November, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a borrow pit, denominated C/U #770, was filed on behalf of the Estate of G. T. White; and

WHEREAS, on the 8th 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 #770 be approved; and

WHEREAS, on the 3rd day of January, A. D. 1984 a public hearing, after notice, was held before the County Council of Sussex County on C/U #770 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 the Estate of G. T. White for a Conditional Use of land in an AR-1 Agricultural Residential District for a borrow pit to be located in Dagsboro 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 Dagsboro Hundred, Sussex County, Delaware, and lying west of Route 113 and north of Route 20 being more particularly described as follows:

BEGINNING for the location at a point on the westerly right of way line of Route 113, said point being one mile north of Route 328; thence from said point south $31-3/4^{\circ}$ west 670' to lands of the Estate of G. T. White; thence from said point and following along lands now or formerly of Townsends, Inc. north $77-3/4^{\circ}$ west 561'; thence turning and following along lands now or formerly of Howard W. Bramhall et al. north $88-1/2^{\circ}$ west 3,110'; thence leaving said Bramhall property and traveling south $1-1/2^{\circ}$ west 100' to the point and place of beginning for the description of this property; thence from said point of beginning south $18-3/4^{\circ}$ west 950'; thence turning and following north $71-1/4^{\circ}$ west 480'; thence north $18-3/4^{\circ}$ east 800'; thence south $88-1/2^{\circ}$ east 503' back to place of beginning and containing 9.6 acres more or less of a $174-1/2$ acre tract as surveyed by Edgar L. Mustard dated 1888, said survey not being of record; 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 011 84 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 10TH DAY OF JANUARY, 1984.

Emogene P. Ellis
EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL