

RESOLUTION NO. R 012 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 INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 5.15 ACRES MORE OR LESS OF A 69.9 ACRE TRACT

WHEREAS, on the 3rd day of October, 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 #765, was filed on behalf of Robert A. Raley; and

WHEREAS, on the 17th day of November, 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 #765 be approved; and

WHEREAS, on the 6th day of December, A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #765 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 Robert A. Raley for a Conditional Use of land in an AR-1 Agricultural Residential District for a borrow pit to be located in Indian River 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 Indian River Hundred, Sussex County, Delaware, and lying northwest of the northwesterly corner of intersection of Route 48 and Route 296 and said borrow pit containing 5.15 acres more or less of a 69.9 acre tract and being located 650 feet north of Route 48, 70 feet east of lands now or formerly of Gull Cove, Inc. and 200 feet west of other lands of Robert A. Raley (Poultry Farm); 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 012 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