

RESOLUTION NO. R 013 84

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EXPANSION TO EXISTING RETAIL SALES AND BULK STORAGE OF PETROLEUM PRODUCTS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 32,970 SQUARE FEET MORE OR LESS

WHEREAS, on the 11th day of August, A. D. 1982 an application for a Conditional Use of land in an AR-1 Agricultural Residential district for an expansion to existing retail sales and bulk storage of petroleum products, denominated C/U #703, was filed on behalf of Peninsula Oil Co.; and

WHEREAS, on the 23rd day of Sept. , A. D. 1982 a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #703 be approved; and

WHEREAS, on the 12th day of October, A. D. 1982 a public hearing, after notice, was held before the County Council of Sussex County on C/U #703 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 1, Article 10, Section 1, et seq, will be complied with,

NOW, THEREFORE,

BE IT RESOLVED that the application of Peninsula Oil Co. for a Conditional Use of land in an AR-1 Agricultural Residential District for an expansion to existing retail sales and bulk storage of petroleum products to be located in Cedar 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 situate in Cedar Creek Hundred, Sussex County, Delaware, and lying on the south side of Greeley Avenue (Lincoln) and bounded as follows:

BEGINNING at an iron pipe on the southerly side of Greeley Avenue, 347.00 feet west of the centerline of Conrail Railroad; thence south $06^{\circ} 36'$ west 139.76 feet along lands of the Estate of Clifford Donovan to an iron pipe; thence north $83^{\circ} 24'$ west 235.91 feet to an iron pipe; thence north $06^{\circ} 36'$ east 139.76 feet to an iron pipe on the southerly side of Greeley Avenue; thence south $83^{\circ} 29'$ east 235.91 feet along the southerly side of Greeley Avenue to the point and place of beginning and containing 32,970 square feet more or less as surveyed by Charles Murphy, Jr.; and

BE IT FURTHER RESOLVED that this Conditional Use is granted subject to compliance with Ordinance No. 1, the Comprehensive Zoning Ordinance of Sussex County, as amended; and

BE IT FURTHER RESOLVED that this Conditional Use is granted subject to the following special conditions:

1. That the area be enclosed by an industrial type chain link fence, six feet in height, with an extension of three strands of barbed wire.
2. The area along the inside of the fence shall be planted with evergreens to provide site screening along the rear and interior lot lines.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 013 84 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 17TH DAY OF JANUARY, 1984.

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