

RESOLUTION NO. R 015 31

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CATV RECEIVING AND TRANSMITTING TOWER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 33,300 SQUARE FEET, MORE OR LESS, OF A 51 ACRE TRACT

WHEREAS, on the 11th day of December, A. D. 1980, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a CATV Receiving and Transmitting Tower, denominated C/U #614, was filed on behalf of Lower Delaware CATV; and

WHEREAS, on the 8th day of January, A. D. 1981, a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #614 be approved; and

WHEREAS, on the 27th day of January, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #614 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 Lower Delaware CATV for a Conditional Use of land in an AR-1 Agricultural Residential District for a CATV Receiving and Transmitting Tower to be located in Baltimore Hundred, Sussex County, be and the same is hereby granted;

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 the Baltimore Hundred, Sussex County, Delaware, and lying south of Route 353, 1,600 feet west of Route 369:

BEGINNING at a point on the southwesterly side of a private road, said point being 700 feet more or less south of Route 353; thence southerly 310 feet to a point on dividing line between this subject land and lands of Allen Burbage; thence northeasterly 260 feet along this subject lands and lands of Allen Burbage to a point; thence northwesterly 215 feet more or less across this subject lands to the point and place of beginning and containing 33,300 square feet of a 51 acre tract of lands of George Edward Hudson and Barbara Ann Hudson;

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;

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

1. The tower shall be lighted in accordance with FAA regulations. Lights shall be installed and maintained by the applicant throughout the existence of the Conditional Use.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 015 81 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 27TH DAY OF JANUARY, 1981.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL