

RESOLUTION NO. R 016 82

A RESOLUTION TO DENY A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MODEL HOME SALES OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 20,000 SQUARE FEET MORE OR LESS

WHEREAS, on the 2nd day of December, A. D. 1981, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a Model Home Sales Office, denominated C/U #665, was filed on behalf of Gallo Realty, Inc.; and

WHEREAS, on the 28th day of January, 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 #665 be denied; and

WHEREAS, on the 2nd day of February, A. D. 1982, a public hearing, after notice, was held before the County Council of Sussex County on C/U #665 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 may not be for the general convenience and welfare of the inhabitants of Sussex County;
- (b) That the location may not be 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 may be adversely affected;
- (d) That adequate off-street parking facilities may not be provided;
- (e) That the necessary safeguards may not 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., may not be complied with,

NOW, THEREFORE,

BE IT RESOLVED that the application of Gallo Realty, Inc. for a Conditional Use of land in an AR-1 Agricultural Residential District for a Model Home Sales Office to be located in Lewes and Rehoboth Hundred, Sussex County, be and the same is hereby denied;

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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the east side of Route 1 and north of Mill Creek Drive and being more particularly described as Lot 1 of Mill Creek Manor as recorded in Plat Book 14 page 55 in the office of Recorder of Deeds;

BE IT FURTHER RESOLVED that this Conditional Use is denied subject to compliance with Ordinance No. 1, 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 016 82 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 9TH DAY OF FEBRUARY, 1982.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL