

RESOLUTION NO. R 019 83

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 BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5 ACRES MORE OR LESS

WHEREAS, on the 8th day of February, 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 #716, was filed on behalf of Dogwood, Inc.; and

WHEREAS, on the 24th day of March, 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 #716 be approved; and

WHEREAS, on the 12th day of April, A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #716 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 Dogwood, Inc. for a Conditional Use of land in an AR-1 Agricultural Residential District for a

borrow pit to be located in Baltimore 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 Baltimore Hundred, Sussex County, Delaware, and lying west of Route 366 and being bounded as follows:

FROM a point on the westerly right of way of Route 366, a corner for lands of Dogwood, Inc. and Jennie Tyre; thence south $85^{\circ} 30'$ west 519.78 feet along lands of Jennie Tyre to a point; thence continuing along lands of Jennie Tyre 796.47 feet to a point; thence southwesterly with a line extending at right angle 100 feet to the point and place of beginning; thence southeasterly with a right angle 465 feet to a point; thence southwesterly with a right angle 465 feet to a point; thence northwesterly with a right angle 465 feet to a point; thence northeasterly with a right angle 465 feet to the point and place of beginning and containing 5 acres more or less; 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 019 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 19TH DAY OF APRIL, 1983.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL