

RESOLUTION NO. R 020 80

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A POULTRY HEALTH LABORATORY TO BE LOCATED ON THE EAST SIDE OF ROUTE 13, 600 FEET SOUTH OF ROUTE 535, SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 1.723 ACRES, MORE OR LESS

WHEREAS, on the twenty-fourth day of April, A. D. 1980, an application for a Conditional Use of land in a C-1 General Commercial District for a Poultry Health Laboratory, denominated C/U #576, was filed on behalf of Cargill, Inc.; and

WHEREAS, on the twenty-second day of May, A. D. 1980, a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #576 be approved; and

WHEREAS, on the tenth day of June, A. D. 1980, a public hearing, after notice, was held before the County Council of Sussex County on C/U #576, 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 Cargill, Inc., for a Conditional Use of land in a C-1 General Commercial District for a Poultry Health Laboratory to be located on the east side of Route 13, 600 feet south of Route 535, Seaford 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 located on the east side of Route 13, 600 feet south of Route 535, Seaford Hundred, Sussex County, Delaware, and bounded as follows:

BEGINNING at a concrete monument on the easterly right of way line of Route 13, 600 feet more or less south of Route 535 at a corner for this subject land and lands of Z. W. Petrea; thence South $81^{\circ} 22' 33''$ East, 452.01 feet to a pipe set at the westerly edge of the Nanticoke River; thence South $05^{\circ} 41' 51''$ West, 149.53 feet with a tie line along the westerly edge of the Nanticoke River to a point; thence North $85^{\circ} 53' 01''$ West, 454.49 feet through lands of Lewes Dairy of Rehoboth, Inc., trading as Seaford Ice and Cold Storage, to a railroad spike located on the easterly right of way line of Route 13; thence North $04^{\circ} 06' 59''$ East 185.00 feet along the easterly right of way of Route 13 to the point and place of beginning, containing within the above described metes and bounds 1.723 Acres, more or less and being a part of lands of Lewes Dairy at Rehoboth, Inc., trading as Seaford Ice and Cold Storage; 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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 020 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 10TH DAY OF JUNE, 1980.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL