

RESOLUTION NO. R 022 82

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RETAIL SALES AND STORAGE OF FARM IMPLEMENTS, SUPPLIES, ETC. TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 15.08 ACRES, MORE OR LESS

WHEREAS, on the 9th day of November, A. D. 1981, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for Retail Sales and Storage of Farm Implements, Supplies, Etc., denominated C/U #661, was filed on behalf of Southern States Cooperative, Inc.; and

WHEREAS, on the 10th day of December, 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 #661 be approved; and

WHEREAS, on the 29th day of December, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #661 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 Southern States Cooperative, Inc. for a Conditional Use of land in an AR-1 Agricultural Residential District for Retail Sales and Storage of Farm Implements, Supplies, etc., to be located in the Lewes and Rehoboth 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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the north side of Route 9 and west of Route 265 and bounded as follows:

BEGINNING at a concrete monument set on the northerly right of way of Route 9 (18) a corner for this subject land and lands of Theresa Hurdle Boyd; thence north  $00^{\circ} 47' 09''$  west 111.10 feet along said Boyd lands to a concrete monument; thence south  $87^{\circ} 20' 07''$  west 3.85 feet to a concrete monument, a corner for this subject land and lands of Idella M. Pettyjohn; thence north  $05^{\circ} 32' 30''$  east 442.19 feet along said Pettyjohn lands to a nail set in a 15" cherry tree; thence south  $87^{\circ} 15' 03''$  east 1,281.90 feet along this subject land and other lands of Charles Mills to a concrete monument set on the westerly right of way of Route 265; thence south  $02^{\circ} 24' 52''$  west 446.60 feet along the westerly right of way of Route 265 to a concrete monument set at sight easement for corner cut of intersection of Route 265 and Route 9 (18); thence south  $47^{\circ} 26' 24''$  west 70.34 feet along sight easement for corner cut of said intersection to a concrete monument set on the northerly right of way of Route 9 (18); thence westerly along the northerly right of way of Route 9 (18) 1,247.92 feet to the point and place of beginning and containing 15.08 acres more or less as surveyed by Walter R. Todd, LS219, May 14, 1981;

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:

(a) Store operating hours will be from 8:00 A. M. to 5:00 P. M. Mondays thru Saturdays;

(b) The monitoring well will be installed on the property between the fertilizer and chemical storage area and the developments of Red Mill Farms and Edgewater Estates; and

(c) There will be a fence around area as shown on site plan plus the area of the grain storage facilities.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 022 82 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 9TH DAY OF MARCH, 1982.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL