

RESOLUTION NO. R 023 80

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR AN AUTOMOBILE REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.86 ACRES, MORE OR LESS

WHEREAS, on the twenty-ninth day of April, A.D. 1980, an application for a Conditional Use of land in a GR General Residential District for an Automobile Repair Shop, denominated C/U #578, was filed on behalf of Cordia W. Warrington, 5th; and

WHEREAS, on the twelfth day of June, 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 #578 be approved; and

WHEREAS, on the twenty-fourth day of June, A.D. 1980, a public hearing, after notice, was held before the County Council of Sussex County on C/U #578 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 Cordia W. Warrington, 5th, for a Conditional Use of land in a GR General Residential District for an Automobile Repair Shop to be located in Georgetown 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 situated in Georgetown Hundred, Sussex County, Delaware, and lying on the south side of Route 224 and bounded as follows:

BEGINNING at a plastic pipe located on the southerly right of way of Route 244, approximately 280 feet east of Route 246 at a corner for this subject lands and lands of Frank J. Warrington, Jr.; thence south 33° east 356.4 feet along the dividing line for this subject lands and lands of Frank J. Warrington, Jr. to a plastic pipe; thence north $58^{\circ} 01'$ east 274.0 feet to a plastic pipe at center-line of a ditch; thence north $40^{\circ} 19'$ east 263.5 feet to a point, a corner for this subject lands and lands of Horace and Linda Wilson; thence south 57° west 91 feet along the dividing line for this subject lands and lands of Horace and Linda Wilson to a plastic pipe; thence north 33° west 100 feet along the dividing line for this subject lands and lands of Horace and Linda Wilson to a plastic pipe located on the southerly right of way of Route 244; thence south 57° west 149 feet along the southerly right of way of Route 244 to the point and place of beginning, containing 1.36 acres more or less; 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; and

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

(a) There shall be no storage in front of the building. All storage must be behind the building line.

(b) This Conditional Use shall be valid for a period of one year after the date of approval and thereafter shall become null and void unless construction or use is substantially underway during said one year, is approved by the Planning and Zoning Commission and for good cause shown, before the expiration of said one-year period.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 023 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 24TH DAY OF JUNE, 1980.

Emogene P. Ellis
EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL