

RESOLUTION NO. R 025 80

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ANTIQUE SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.15 ACRES, MORE OR LESS

WHEREAS, on the sixth day of May, A.D. 1980, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for an Antique Shop, denominated C/U #580, was filed on behalf of Wayne Walbert; 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 #580 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 #580 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 Wayne Walbert for a Conditional Use of land in an AR-1 Agricultural Residential District for an Antique Shop to be located in Little Creek 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 lot, piece, or parcel of land lying and being in Little Creek Hundred, Sussex County, State of Delaware, and lying on the west side of U. S. Route #13A, about one mile north of the Town of Delmar, more particularly described as follows, to wit:

BEGINNING at a concrete marker at the northeast corner of this property and also marks the dividing line between this property and the property now or formerly of Wilson W. Sturgis and Blanche C. Sturgis, his wife; thence along the west side of U. S. Route #13A, south a distance of one hundred (100) feet to a concrete marker; thence north  $71^{\circ} 55'$  west five hundred (500) feet to a stake, a corner for this lot herein conveyed and lot now or formerly of Merchants Terminal Corporation; thence along the dividing line between the lot herein conveyed and lot of Merchants Terminal Corporation north  $18^{\circ} 05'$  west one hundred and ten one-hundredths (100.10) feet to a point, a corner for this lot and lands now or formerly of Wilson W. Sturgis and Blanche C. Sturgis; thence along the dividing line between the lot herein conveyed and lands now or formerly of Wilson W. Sturgis and Blanche C. Sturgis, south  $71^{\circ} 54'$  east five hundred (500) feet to the point and place of beginning, containing within the above described metes and bounds 1.15 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) 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 period, or unless an extension of time, not exceeding 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 025 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 24TH DAY OF JUNE, 1980.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL