

RESOLUTION NO. R 028 81

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR FOOD RETAIL SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 40,000 SQUARE FEET, MORE OR LESS

WHEREAS, on the 13th day of February, A. D. 1981, an application for a Conditional Use of land in a MR Medium Density Residential District for Food Retail Sales, denominated C/U #621, was filed on behalf of Bethany Produce Market; and

WHEREAS, on the 12th day of March, 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 #621 be denied; and

WHEREAS, on the 31st day of March, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #621 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 Bethany Produce Market for a Conditional Use of land in a MR Medium Density Residential

District for Food Retail Sales to be located in the Baltimore Hundred, Sussex County, be and the same is hereby granted;

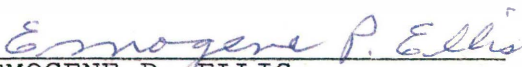
BE IT FURTHER RESOLVED that the description of the land which is the subject of this application is more particularly described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in the Baltimore Hundred, Sussex County, Delaware, and lying on the west side of Route 1, 1,100 feet south of Route 360 and bounded as follows:

BEGINNING at a point on the westerly right of way of Route 1 approximately 1,100 feet south of Route 360; thence southerly by and along the westerly right of way of Route 1, 200.01 feet along curve of arc of radius of 22,961.36 feet to a point; thence north  $79^{\circ} 38' 20''$  west 200.00 feet to a point; thence south  $07^{\circ} 29' 02''$  east 200.00 feet to a point; thence north  $87^{\circ} 00' 00''$  east 200.00 feet to the point and place of beginning and containing 40,000 square feet more or less.

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 028 81 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 7TH DAY OF APRIL, 1981.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL