

RESOLUTION NO. R 028 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (4 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 10,000 SQUARE FEET MORE OR LESS

WHEREAS, on the 24th day of February, A. D. 1983 an application for a Conditional Use of land in a MR Medium Density Residential District for a multi-family dwelling structure (4 units), denominated C/U #721, was filed on behalf of Harvey H. & Joan M. Ryan; and

WHEREAS, on the 14th day of April, A. D. 1983 a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #721 be approved; and

WHEREAS, on the 3rd day of May , A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #721 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 97, Article 10, Section 1 et seq. will be complied with,

NOW, THEREFORE,

BE IT RESOLVED that the application of Harvey H. & Joan M. Ryan for a Conditional Use of land in a MR Medium Density Residential

District for a multi-family dwelling structure (4 units) to be located in Lewes and Rehoboth 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 in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the southwest side of South Avenue 250 feet northwest of Ann Avenue and north of Dewey Beach and being more particularly described as lots 28 and 29 of Poynter's Addition to Rehoboth as follows:

BEGINNING at a point on the southwesterly right of way of South Avenue 250 feet northwest of Ann Avenue; thence south $49^{\circ} 52'$ west 100 feet to an iron pipe, a corner for lot 42 and lot 43; thence north $40^{\circ} 08'$ west 100 feet along lot 43 and lot 44 to an iron pipe, a corner for lot 44 and lot 45; thence north $49^{\circ} 52'$ east 100 feet along lot 27 and lot 26 to an iron pipe on the southwesterly right of way of South Avenue; thence south $40^{\circ} 08'$ east 100 feet along the southwesterly right of way of South Avenue to the point and place of beginning and containing 10,000 square feet more or less; and

BE IT FURTHER RESOLVED that this Conditional Use is granted subject to compliance with Ordinance No. 97, 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 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 3RD DAY OF MAY, 1983.

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