

RESOLUTION NO. R 031 80

A RESOLUTION TO DENY A CONDITIONAL USE OF LAND IN AN AGRICULTURAL RESIDENTIAL DISTRICT FOR A FLEA MARKET TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING ONE ACRE, MORE OR LESS

WHEREAS, on the 10th day of June, A.D. 1980, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a Flea Market, denominated C/U #585, was filed on behalf of Martin Schmidt; and

WHEREAS, on the 10th day of July, 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 #585 be denied; and

WHEREAS, on the 29th day of July, A.D. 1980, a public hearing, after notice, was held before the County Council of Sussex County on C/U #585 and, having heard and considered the public comments made at such a hearing and the County Council having found as follows:

(a) That the Conditional Use applied for may not be for the general convenience and welfare of the inhabitants of Sussex County;

(b) That the location is not appropriate for the Conditional Use applied for and is not in conflict with the Comprehensive Plan;

(c) That the public health, safety, morals, and general welfare of the inhabitants of Sussex County may be adversely affected;

(d) That adequate off-street parking facilities may not be provided;

(e) That the necessary safeguards may not 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. may not be complied with,

NOW, THEREFORE,

BE IT RESOLVED that the application of Martin Schmidt for a Conditional Use of land in an AR-1 Agricultural Residential District

for a Flea Market to be located in Broadkill Hundred, Sussex County, be and the same is hereby denied; 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 Broadkill Hundred, Sussex County, Delaware, and lying on the easterly side of Route 1 and bounded as follows:

BEGINNING at a point on the easterly side of Route 1, 395 feet north of Route 258 at a corner for this subject land and lands of Anthony Maiale; thence north $42^{\circ} 00'$ west 200 feet along the easterly side of Route 1 to a point; thence north $48^{\circ} 00'$ east 218 feet to a point; thence south $42^{\circ} 00'$ east 200 feet to a point; thence south $48^{\circ} 00'$ west 218 feet to the point and place of beginning, containing within the above described metes and bounds one acre, more or less.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 031 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 29TH DAY OF JULY, 1980.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL