

RESOLUTION NO. R 032 81

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A FLEA MARKET TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.5 ACRES, MORE OR LESS

WHEREAS, on the 11th day of March, A. D. 1981, an application for a Conditional Use of land in a C-1 General Commercial District for a Flea Market, denominated C/U #626, was filed on behalf of Chicken Pot, Inc.; and

WHEREAS, on the 9th day of April, 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 #626 be approved; and

WHEREAS, on the 28th day of April, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #626 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 Chicken Pot, Inc. for a Conditional Use of land in a C-1 General Commercial District for

a Flea Market to be located in the Lewes and Rehoboth 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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the northerly side of Route 14A and bounded as follows:

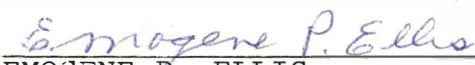
BEGINNING at a pipe on the northerly side of Route 14A, Rehoboth Avenue Extended, a corner for this subject land and lands now or formerly of Leslie Wolfe; thence north  $81^{\circ} 22' 00''$  east 249.94 feet along Route 14A to a pipe, a corner for this subject land and lands now or formerly of Rapkin Realty Inc.; thence north  $08^{\circ} 44' 11''$  west 380.46 feet along said Rapkin lands to a pipe; thence north  $46^{\circ} 26' 11''$  west 20.50 feet to a pipe, a corner for this land and lands now or formerly of Pennsylvania Railroad Co.; thence south  $55^{\circ} 26' 58''$  west 263.49 feet along said railroad to a pipe, a corner for this subject land and lands of Leslie Wolfe; thence south  $08^{\circ} 42' 10''$  east 281.39 feet along said Wolfe lands to the point and place of beginning and containing 2.5 acres 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.

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

1. Ingress/Egress subject to approval of the State Division of Highways prior to opening business.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 032 81 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 28TH DAY OF APRIL, 1981.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL