

RESOLUTION NO. R 033 80

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOBILE STORAGE YARD TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.37 ACRES, MORE OR LESS

WHEREAS, on the 24th day of June, A. D. 1980, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for an Automobile Storage Yard, denominated C/U #587, was filed on behalf of Edward Layton; and

WHEREAS, on the 24th day of July, A. D. 1980, a public hearing, after due notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #587 be approved; and

WHEREAS, on the 12th day of August, A. D. 1980, a public hearing, after notice, was held before the County Council of Sussex County on C/U #587 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 Edward Layton for a Conditional Use of land in an AR-1 Agricultural Residential District for

an Automobile Storage Yard to be located in Broad Creek 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 situated in Broad Creek Hundred, Sussex County, Delaware, and lying on the northwesterly side of Route 28, $\frac{1}{4}$ mile south of Route 474, and bounded as follows:

BEGINNING at a point on the northwesterly side of Route 28 (9), a corner for this subject lands and lands of Leon J. Tyndall; thence north $28^{\circ} 53' 00''$ west 330.60 feet along line of lands of Leon J. Tyndall to a point; thence south $64^{\circ} 35' 00''$ west 171.00 feet to a point; thence south $25^{\circ} 25' 00''$ east 530.00 feet to a point on the northwesterly side of Route 28 (9); thence north $64^{\circ} 35' 00''$ west 191.00 feet along the northwesterly side of Route 28 (9) to the point and place of beginning, containing within the above described metes and bounds 1.37 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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 033 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 12TH DAY OF AUGUST, 1980.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL