

RESOLUTION NO. R 033 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GROCERY STORE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 21,600 SQUARE FEET MORE OR LESS

WHEREAS, on the 21st day of March, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a grocery store, denominated C/U #727, was filed on behalf of Caroline S. Yoder; and

WHEREAS, on the 12th day of May, 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 #727 be approved; and

WHEREAS, on the 31st day of May, A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #727 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 Caroline S. Yoder for a Conditional Use of land in an AR-1 Agricultural Residential District

for a grocery store to be located in Nanticoke 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 Nanticoke Hundred, Sussex County, Delaware, and lying on the north side of Route 16 approximately 1,300 feet west of Route 631 and being more particularly described as follows:

BEGINNING at a point on the northerly right of way of Route 16, 300 feet west of dividing line between Paul D. Yoder and Albert Yoder; thence north $74^{\circ} 00'$ west 180 feet along the northerly right of way of Route 16 to a point being 335 feet east of lands of Keith Carlisle; thence north $16^{\circ} 00'$ east 120 feet to a point; thence south $74^{\circ} 00'$ east 180 feet to a point; thence south $16^{\circ} 00'$ west 120 feet to the point and place of beginning and containing 21,600 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 033 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 31ST DAY OF MAY, 1983.

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