

RESOLUTION NO. R 034 84

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLINGS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.02 ACRES MORE OR LESS

WHEREAS, on the 14th day of November, A. D. 1983 an application for a Conditional Use of land in a MR Medium Density Residential District for multi-family dwellings, denominated C/U #774, was filed on behalf of Bethany Venture Partnership; and

WHEREAS, on the 22nd day of December, 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 #774 be approved; and

WHEREAS, on the 10th day of January, A. D. 1984 a public hearing, after notice, was held before the County Council of Sussex County on C/U #774 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 Bethany Venture Partnership for a Conditional Use of land in a MR Medium Density Residential District for multi-family dwellings to be located in Baltimore 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 Baltimore Hundred, Sussex County, Delaware, and lying on the east side of Route 1, 500 feet north of Watergate. Said parcel being more particularly described as follows:

FROM above referenced point of beginning and following along east right of way line of Route 1 north 08° 06' 25" east 468.37' to a point intersecting lands now or formerly of Wm. P. Short, Jr.; thence following along lands of aforementioned south 78° 30' 32" east 145.98' to a point; thence turning and running south 02° 53' 11" east 469.74' to a point intersecting lands of the State of Delaware; thence along said State lands north 81° 33' 39" west 235.30' to the point and place of beginning, containing 2.02 acres as surveyed by Donald J. McCann P.L.S. 440, survey dated November 11, 1983; 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; and

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

(1) Any easement across State lands from the development and the use of any structures on the easement shall be open to the public. The public will, also, be granted access from Route 1 across the development property to such easement.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 034 84 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 13TH DAY OF MARCH, 1984.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL