

RESOLUTION NO. R 035 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RETAIL SALES OF ANTIQUES AND GIFTS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.98 ACRES MORE OR LESS

WHEREAS, on the 28th day of March, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for retail sales of antiques and gifts, denominated C/U #730, was filed on behalf of Gary B. and Gail Hoffman; 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 #730 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 #730 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 Gary B. and Gail Hoffman for a Conditional Use of land in an AR-1 Agricultural Residential

District for retail sales of antiques and gifts to be located in Lewes and Rehoboth Hundred, Sussex County, be and the same is hereby granted; and

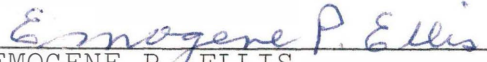
BE IT FURTHER RESOLVED that the description of the land which is the subject of this application is more particularly described as follows:

ALL that certain tract, piece or parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the north side of Route 9 and being more particularly described as follows:

BEGINNING at an iron pipe on the northerly right of way of Route 9 approximately 460 feet east of Route 281 at a corner for this subject land and lands now or formerly of Walter E. Reifsnyder, Jr.; thence north $88^{\circ} 06' 34''$ east 200.00 feet along the northerly right of way of Route 9 to a concrete monument, a corner for this subject land and lands now or formerly of Juel C. Stamper; thence north $18^{\circ} 10' 00''$ west 458.62 feet along said Stamper lands to a concrete monument on the southerly right of way of Penn Central Railroad; thence south $76^{\circ} 49' 53''$ west 201.02 feet along said railroad to a concrete monument, a corner for aforesaid Reifsnyder; thence south $19^{\circ} 17' 53''$ east 420.16 feet along said Reifsnyder to the point and place of beginning and containing 1.98 acres 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 035 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 31ST DAY OF MAY, 1983.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL