

RESOLUTION NO. R 036 82

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR EXCAVATION AND FILLING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 4 ACRES, MORE OR LESS

WHEREAS, on the 23rd day of February, A.D. 1982, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for excavation and filling, denominated C/U #673, was filed on behalf of George & Lynch, Inc.; and

WHEREAS, on the 25th day of March, A.D. 1982, a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #673 be approved; and

WHEREAS, on the 13th day of April, A.D. 1982, a public hearing, after notice, was held before the County Council of Sussex County on C/U #673 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 George and Lynch, Inc. for a Conditional Use of land in an AR-1 Agricultural Residential

District for excavation and filling to be located in the Georgetown 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 Georgetown Hundred, Sussex County, Delaware, and located 0.4 mile northwest of Route 253 with access from a private road approximately 1.1 miles east of Route 319 and being 4 acres of a 90 acre tract owned by Wayne G. Wilkins. Said tract being more particularly described by plat filed with the Director of the Planning and Zoning Commission Office;

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 condition:

1. This Conditional Use shall expire at such time the County receives official notice from the Solid Waste Section, Division of Environmental Control, State Department of Natural Resources and Environmental Control that offensive odors are not contained within the property boundaries, or notification from the same authority of other hazardous conditions that result from this use.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 036 82 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 20TH DAY OF APRIL, 1982.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL