

RESOLUTION NO. R 037 80

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 21,000 SQUARE FEET MORE OR LESS

WHEREAS, on the 7th day of July, A. D. 1980, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a repair shop, denominated C/U #590, was filed on behalf of Daniel L. Ward; and

WHEREAS, on the 14th day of August, A. D. 1980, a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #590 be approved; and

WHEREAS, on the 2nd day of September, A. D. 1980, a public hearing, after notice, was held before the County Council of Sussex County on C/U #590 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; and

(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 Daniel L. Ward for a Conditional Use of land in an AR-1 Agricultural Residential District for a Repair Shop to be located in Little 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 situate in the Little Creek Hundred, Sussex County, Delaware, and lying on the northerly side of Route 512 and bounded as follows:

BEGINNING at a concrete monument set in the northerly right of way of County Road No. 512, a corner for this lot and other lands of Russell S. Ward, et ux.; thence along the division line between this lot and other lands of Russell S. Ward, et ux., North 09 degrees 06 minutes 00 seconds East 155 feet to a concrete monument, a corner for this lot and other lands of Russell S. Ward, et ux.; thence along a new division line between this lot and other lands of Russell S. Ward, et ux., South 78 degrees 28 minutes 00 seconds East 136 feet to a concrete monument, a corner for this lot and lands now or formerly of Lucy Sparrow; thence along the division line between this lot and lands now or formerly of Lucy Sparrow, South 09 degrees 06 minutes 00 seconds West 155 feet to a pipe in the southerly right of way of aforesaid County Road No. 512; thence along the northerly right of way of County Road No. 512, North 78 degrees 28 minutes 00 seconds West 136 feet, home to the place of beginning, and said to contain 21,061 square feet, more or less;

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:

(a) This conditional use shall be valid for a period of one year after the date of approval and thereafter shall become null

and void unless construction or use is substantially underway during said one-year period, or unless an extension of time, not exceeding one year, is approved by the Planning and Zoning Commission and for good cause shown, before the expiration of said one-year period.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 037 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 2ND DAY OF SEPTEMBER, 1980.

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