

RESOLUTION NO. R 038 80

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SANDWICH SHOP AND BOAT REPAIR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 32,000 SQUARE FEET, MORE OR LESS

WHEREAS, on the 9th day of July, A. D. 1980, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a Sandwich Shop and Boat Repair, denominated C/U #591, was filed on behalf of J. Edward Shockley; 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 #591 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 #591 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 J. Edward Shockley for a Conditional Use of land in an AR-1 Agricultural Residential District for a sandwich shop and boat repair to be located in the Baltimore

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 Baltimore Hundred, Sussex County, Delaware and lying on the northeast side of Madison Avenue, 130 feet north of Route 54 being described as lots 16, 17, 18, 19, and 20 of Glenn Acres Development and containing 32,000 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 conditions:

(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 038 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 2ND DAY OF SEPTEMBER, 1980.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL