

RESOLUTION NO. R 041 80

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MOBILE HOME PARK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 289.3 ACRES MORE OR LESS

WHEREAS, on the 17th day of July, A. D. 1980, an application of a Conditional Use of land in an AR-1 Agricultural Residential District for a Mobile Home Park, denominated C/U #594, was filed on behalf of Pot Nets, Inc.; 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 #594 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 #594 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 Pot Nets, Inc. for a Conditional Use of land in an AR-1 Agricultural Residential District

for a Mobile Home Park to be located in Indian River 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 situated in the Indian River Hundred, Sussex County, Delaware, and lying on the northwest side of Route 22 and bounded as follows:

BEGINNING at an iron pipe on the northerly side of Route 22, a corner for this subject land and lands now or formerly of the Heirs of Francis W. Moore; thence north  $37^{\circ} 39' 43''$  east 1096.94 feet along this subject lands and lands of the Heirs of Francis W. Moore to an iron pipe; thence north  $38^{\circ} 14' 03''$  east 2508.63 feet along lands of Pine Acres, Inc. to a concrete monument; thence north  $21^{\circ} 50' 27''$  west 214.50 feet along lands of Pine Acres, Inc. to a point; thence north  $43^{\circ} 11' 23''$  east 1751.11 feet along lands of Pine Acres, Inc. to an iron pipe on the southerly side of Guinea Creek; thence southeasterly with tie lines along Guinea Creek and Herring Creek the following four distances: north  $71^{\circ} 58' 12''$  east 1679.91 feet, north  $89^{\circ} 42' 34''$  east 1184.48 feet, south  $46^{\circ} 02' 41''$  east 1511.30 feet, and south  $55^{\circ} 08' 05''$  east 878.32 feet to a point; thence westerly along lands of the Heirs of John Burton the following seven distances: south  $09^{\circ} 08' 25''$  west 214.50 feet, south  $66^{\circ} 38' 25''$  west 168.30 feet, north  $69^{\circ} 21' 35''$  west 462.00 feet, north  $87^{\circ} 51' 35''$  west 495.00 feet, north  $79^{\circ} 51' 35''$  west 221.10 feet to a concrete monument, south  $66^{\circ} 18' 25''$  west 4499.25 feet to a concrete monument, south  $38^{\circ} 02' 15''$  west 507.38 feet to a concrete monument on line of this subject lands and lands of Mary Louise Mitchell; thence north  $51^{\circ} 57' 45''$  west 105.11 feet along said Mitchell lands; thence south  $38^{\circ} 02' 15''$  west 311.23 feet along said Mitchell lands to the northerly side of Route 22; thence westerly by and along the northerly right of way of Route 22 the following eight distances: south  $87^{\circ} 56' 27''$  west 183.93 feet, south  $67^{\circ} 37' 58''$  west 208.46 feet, south  $49^{\circ} 29' 58''$  west 202.62 feet, south  $46^{\circ} 00' 44''$  west 923.15 feet, south  $51^{\circ} 56' 04''$  west

195.56 feet, south 71 57' 27" west 191.44 feet, north 89° 12' 33" west 194.00 feet, north 80 45' 15" west 447.23 feet to the point and place of beginning, containing within the above described metes and bounds 289.3 acres more or less; and

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 041 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 2ND DAY OF SEPTEMBER, 1980.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL