

RESOLUTION NO. R 043 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CAMPGROUND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 9.77 ACRES MORE OR LESS

WHEREAS, on the 23rd day of March, A. D. 1983 an application for a Conditional Use of land in a MR Medium Density Residential District for a campground, denominated C/U #725, was filed on behalf of John R. Zacharias; 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 #725 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 #725 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 John R. Zacharias for a Conditional Use of land in a MR Medium Density Residential District

for a campground to be located in Baltimore 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 Baltimore Hundred, Sussex County, Delaware, and lying on the west side of Route 1, 1.2 miles south of Indian River Inlet and being more particularly described as follows:

BEGINNING at an iron pipe found in concrete on the westerly right of way of Route 1, a corner for this subject lands and lands now or formerly of Sea and Pines, Inc.; thence south $03^{\circ} 12' 35''$ west 258.65 feet along the westerly right of way of Route 1 to a concrete monument, a corner for this subject lands and lands now or formerly of Roland H. Nelson, Jr. and John C. Massey; thence south $86^{\circ} 18' 55''$ W 315.00 feet along lands now or formerly of Roland H. Nelson, Jr. and John C. Massey to a concrete monument; thence south $02^{\circ} 58' 00''$ west 154.0 feet to an iron post; thence south $47^{\circ} 58' 00''$ west 19.00 feet to an iron post; thence south and west along lands now or formerly of John C. Massey and the shoreline of Whartons Cove the following nine (9) courses: south $05^{\circ} 25' 00''$ west 73.30 feet; south $25^{\circ} 56' 48''$ west 28.82 feet; south $74^{\circ} 36' 36''$ west 21.13 feet; north $88^{\circ} 53' 06''$ west 55.21 feet; south $68^{\circ} 06' 05''$ west 89.53 feet; north $78^{\circ} 01' 55''$ west 656.98 feet; north $81^{\circ} 46' 04''$ west 211.24 feet; north $37^{\circ} 23' 06''$ west 53.30 feet; north $21^{\circ} 52' 47''$ east 59.14 feet to a point at southerly entrance into lagoon; thence north $87^{\circ} 07' 24''$ east 1,019.47 feet along southerly side of lagoon to a point; thence north $46^{\circ} 13' 04''$ east 43.54 feet along easterly side of lagoon to a point; thence north $15^{\circ} 36' 50''$ west 51.26 feet along easterly side of lagoon to a point; thence north $61^{\circ} 50' 55''$ west 35.39 feet along easterly side of lagoon to a point; thence south $85^{\circ} 43' 10''$ west 1,046.44 feet along the northerly side of lagoon to a point; thence north $86^{\circ} 34' 06''$ west 38.96 feet along the northerly side of lagoon to a point at shoreline of Whartons Cove; thence north $57^{\circ} 58' 21''$ west 46.12 feet

along shoreline of Whartons Cove to a point; thence north 13° 56' 10" west 75.67 feet along shoreline of Whartons Cove to a point, a corner for this subject lands and lands now or formerly of Sea and Pines, Inc. and containing 9.77 acres more or less as surveyed by Loewenstein, Soulé and Associates, Inc.; 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; and

BE IT FURTHER RESOLVED that this Conditional Use is granted subject to the following special condition:

A barrier fence to meet the approval of the Commission at the time the final site plan is reviewed. Fencing to be located along the Nelson-Massey property and along the boundary of Route 1.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 043 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 19TH DAY OF JULY, 1983.

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