

RESOLUTION NO. R 044 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RETAIL SALES AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 3.76 ACRES MORE OR LESS

WHEREAS, on the 25th day of May, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a Retail Sales and Storage, denominated C/U #740, was filed on behalf of W. B. James; and

WHEREAS, on the 14th day of July, 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 #740 be approved; and

WHEREAS, on the 2nd day of August A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #740 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 W. B. James for a Conditional Use of land in an AR-1 Agricultural Residential District for

a Retail Sales and Storage to be located in Little Creek 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 Little Creek Hundred, Sussex County, Delaware, and lying on the west side of Route 13, point of beginning being 170' more or less south of the centerline of Route 462; thence from said point of beginning following along the west right of way line of Route 13 south 10° 13' 00" west 686.04' to a point intersecting lands now or formerly of Joseph Warrington; thence leaving Route 13 and following along lands now or formerly of Joseph Warrington the following two (2) courses: north 17° 33' 50" west 196.10'; south 75° 51' 00" west 215.48'; thence turning and running north 10° 13' 00" east 600.14' to a point; thence south 80° 03' 40" east 287.64' to the point and place of beginning and containing 3.76 acres more or less; 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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 044 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 2ND DAY OF AUGUST, 1983.

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