

RESOLUTION NO. R 044 84

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ICE PLANT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 30,690 SQUARE FEET MORE OR LESS

WHEREAS, on the 13th day of February, A. D. 1984 an application for a Conditional Use of land in AR-1 Agricultural Residential District for an ice plant, denominated C/U #790, was filed on behalf of Charles Koch t/a Penguin Ice Co.; and

WHEREAS, on the 12th day of April , A. D. 1984 a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #790 be approved; and

WHEREAS, on the 1st day of May , A. D. 1984 a public hearing, after notice, was held before the County Council of Sussex County on C/U #790 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 Charles Koch t/a Penguin Ice Co. for a Conditional Use of land in an AR-1 Agricultural

Residential District for an ice plant to be located in Indian River Hundred, Sussex County, be and the same is hereby granted; and

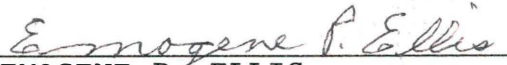
BE IT FURTHER RESOLVED that the description of the land which is the subject of this application is more particularly described as follows:

ALL that certain tract, piece or parcel of land lying and being in Indian River Hundred, Sussex County, Delaware, and lying on the northwest corner of the intersection of Route 297 and Route 24 and being more particularly described as follows:

BEGINNING at a point on the northwest corner of the intersection of Route 297 and Route 24; thence south $50^{\circ} 28' 50''$ west 105.83 feet along the northerly right of way of Route 24, a corner for lands now or formerly of Charles Mosley; thence north $38^{\circ} 43' 20''$ west 290.00 feet to a point, a corner for lands now or formerly of Walt Davis; thence north $50^{\circ} 28' 50''$ east 105.83 feet to a point on the westerly right of way of Route 297; thence south $38^{\circ} 43' 20''$ east 290.00 feet along the westerly right of way of Route 297 to the point and place of beginning and containing 30,690 square feet more or less and being lands presently owned by Mitchell Lender and James Brooks; 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 84 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 1ST DAY OF MAY, 1984.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL