

RESOLUTION NO. R 046 84

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR APPLIANCE REPAIR AND SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.90 ACRES MORE OR LESS

WHEREAS, on the 21st day of February, A. D. 1984 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for appliance repair and sales, denominated C/U #792, was filed on behalf of Peter J. Berntsen; and

WHEREAS, on the 19th 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 #792 be approved; and

WHEREAS, on the 8th day of May , A. D. 1984 a public hearing, after notice, was held before the County Council of Sussex County on C/U #792 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 Peter J. Berntsen for a Conditional Use of land in an AR-1 Agricultural Residential District for appliance repair and sales 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 northwesterly side of Route 384 and being more particularly described as follows:

BEGINNING at an iron rod on the northwesterly right of way of Route 384, 647.21 feet south of Route 383 at center of an old ditch; thence southeasterly along said right of way of Route 384, 705.25 feet to an iron rod, a corner for these subject lands and lands now or formerly of Anna May Carey Brittingham; thence north 45° 17' 17" west 456.92 feet to an axle; thence north 33° 21' 31" east 552.35 feet to an axle in center of an old ditch; thence southeasterly with the meandering centerline of the old ditch 491.68 feet to the point and place of beginning and containing 5.90 acres more or less of lands presently owned by Stephen R. Evans and Edward H. Evans; 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 046 84 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 8TH DAY OF MAY, 1984.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL