

RESOLUTION NO. R 049 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SALES AND SERVICE OF NEW AND USED COMMERCIAL FOOD SERVICE EQUIPMENT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 2.5 ACRES MORE OR LESS

WHEREAS, on the 13th day of June, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for sales and service of new and used commercial food service equipment, denominated C/U #744, was filed on behalf of Sarah and Romeo Escaro; and

WHEREAS, on the 28th 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 #744 be approved; and

WHEREAS, on the 16th day of August, A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #744 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 Sarah and Romeo Escaro for a Conditional Use of land in an AR-1 Agricultural Residential District for sales and service of new and used commercial food service equipment to be located in Nanticoke 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 Nanticoke Hundred, Sussex County, Delaware, and lying on the north side of Route 36, 1,100 feet east of Route 613 and more particularly described as follows:

BEGINNING at a point on the northerly side of Route 36, a corner for this subject lands and lands now or formerly of Adolph Wiederkehr; thence north 25° 30' west 270 feet along lands now or formerly of Adolph Wiederkehr to a point; thence south 56° 45' west 428 feet across lands of Sarah and Romeo Escaro to a point; thence southerly 268 feet with a line perpendicularly to Route 36 to a point on the northerly side of Route 36; thence north 56° 45' east 390 feet along the northerly side of Route 36 to the point and place of beginning and containing 2.5 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 049 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 16TH DAY OF AUGUST, 1983.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL