

RESOLUTION NO. R 050 80

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BROADCAST TRANSMITTING TOWER AND BUILDING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 29.64 ACRES, MORE OR LESS

WHEREAS, on the 29th day of August, A. S. 1980, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a broadcast transmitting tower and building, denominated C/U #601, was filed on behalf of U R C Management Services, Inc.; and

WHEREAS, on the 25th day of September, A. D. 1980, a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #601 be approved; and

WHEREAS, on the 14th day of October, A. D. 1980, a public hearing, after notice, was held before the County Council of Sussex County on C/U #601 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 1, Article 10, Section 1, et seq., will be complied with,

NOW, THEREFORE,

BE IT RESOLVED that the application of U R C Management Services, Inc. for a Conditional Use of land in an AR-1 Agricultural Residential District for a broadcast transmitting tower and building to be located in the Seaford Hundred, Sussex County, be and the same is hereby granted;

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 situated in the Seaford Hundred, Sussex County, Delaware, and lying on the easterly side of Route 13 and bounded as follows:

FROM an iron pipe located on the easterly side of Route 13, a corner for lands of Charles H. Isaacs and William Smoot, south $75^{\circ} 16' 05''$ east 1872.41 feet along the property line of lands of Charles H. Isaacs and William Smoot to the beginning point; thence north $02^{\circ} 15' 55''$ west 892.43 feet to a point; thence south $76^{\circ} 33' 07''$ east 575.00 feet to a point; thence south $62^{\circ} 05' 50''$ east 816.09 feet to the centerline of Clear Brook Ditch; thence southerly with the centerline of Clear Brook Ditch the following six (6) courses: South $01^{\circ} 42' 56''$ west 311.53 feet to a point; South $09^{\circ} 25' 26''$ east 39.54 feet to a point; South $02^{\circ} 48' 45''$ west 145.41 feet to a point; South $87^{\circ} 55' 08''$ east 77.58 feet to a point; South $46^{\circ} 26' 02''$ east 102.0 feet to a point; South $20^{\circ} 51' 42''$ east 67.6 feet to a point, a corner for this subject lands and lands of Charles H. Isaacs to a point; thence south $82^{\circ} 33' 57''$ west 1164.46 feet to a point; thence south $73^{\circ} 33' 57''$ west 128.93 feet to a point; thence north $16^{\circ} 38' 19''$ west 462.31 feet to the point and place of beginning and containing 29.64 acres, more or less;

BE IT FURTHER RESOLVED that this Conditional Use is granted subject to compliance with Ordinance No. 1, the Comprehensive Zoning Ordinance of Sussex County as amended;

BE IT FURTHER RESOLVED that this Conditional Use is granted

subject to the following special condition:

- (a) Base of the tower proper shall be enclosed with fencing.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 050 80 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 14TH DAY OF OCTOBER, 1980.

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