

RESOLUTION NO. R 052 81

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR PROPANE TANKS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.0 ACRES, MORE OR LESS

WHEREAS, on the 10th day of July, A. D. 1981, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for propane tanks, denominated C/U #640, was filed on behalf of Albert L. Tanyer; and

WHEREAS, on the 13th day of August, A. D. 1981, a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #640 be approved; and

WHEREAS, on the 1st day of September, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #640 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 Albert L. Tanyer for a Conditional Use of land in an AR-1 Agricultural Residential District for propane tanks to be located in Broad Creek 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 situate in Broad Creek Hundred, Sussex County, Delaware, and lying at the northeasterly corner of Route 13 and Route 470 and bounded as follows:

BEGINNING at a point on the easterly right of way of Route 13, said point being the northern most point of radius cut of intersection of Route 13 and Route 470; thence north  $18^{\circ} 00'$  west 39.27 feet along the easterly right of way of Route 13 to a point; thence north  $72^{\circ} 00'$  east 400.00 feet to a point; thence south  $18^{\circ} 00' 00''$  east 351.54 feet to a point on the northerly right of way of Route 470; thence north  $74^{\circ} 45'$  west 428.00 feet along the northerly right of way of Route 470 to a point; thence north  $46^{\circ} 22'$  west 87.99 feet along the radius cut of the intersection of Route 13 and Route 470 to the beginning point and containing 2 acres as surveyed by Miller-Lewis, Inc., and being on lands of Albert L. Tanyer;

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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 052 81 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 1ST DAY OF SEPTEMBER, 1981.

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