

RESOLUTION NO. R 054 84

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TELEVISION TRANSMITTING TOWER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 21.4 ACRES MORE OR LESS

WHEREAS, on the 23rd day of April, A. D. 1984 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a Television Transmitting Tower, denominated C/U #798, was filed on behalf of L.E.O. Broadcasting, Inc.; and

WHEREAS, on the 14th day of June , 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 #798 be approved; and

WHEREAS, on the 3rd day of July , A. D. 1984 a public hearing, after notice, was held before the County Council of Sussex County on C/U #798 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 L.E.O. Broadcasting, Inc. for a Conditional Use of land in an AR-1 Agricultural Residential District for a Television Broadcasting Tower to be located in Northwest Fork 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 Northwest Fork Hundred, Sussex County, Delaware, and lying on the easterly side of Route 568 approximately 950 feet north of Route 567 and being more particularly described as follows:

BEGINNING at a point on the easterly right of way of Route 568, a corner for lands now or formerly of Albert Dill; thence easterly with the meandering of the property line between these subject lands and lands now or formerly of Albert Dill the following 6 courses: south $70^{\circ} 15'$ east 555.0 feet to a point, north $32^{\circ} 15'$ east 280.0 feet to a point, north $19^{\circ} 30'$ west 198.0 feet to a point, north $21^{\circ} 45'$ east 130.0 feet to a point, south $80^{\circ} 00'$ east 480.0 feet to a point, north $11^{\circ} 00'$ east 110.0 feet to a point; thence south $80^{\circ} 00'$ east 345.0 feet across lands of N. Walter Goins to a point on line dividing these subject lands and lands now or formerly of James Willoughby; thence south $18^{\circ} 15'$ west 955.0 feet along lands now or formerly of James Willoughby to a point; thence south $13^{\circ} 30'$ east 520.0 feet along lands now or formerly of James Willoughby to a point; thence south $13^{\circ} 30'$ west 265.0 feet along lands now or formerly of Harley Wilson to a point on the northerly right of way of Route 567, a corner for lands of N. Walter Goins; thence north $13^{\circ} 30'$ west 765.0 feet across lands of N. Walter Goins to a point; thence north $70^{\circ} 15'$ west 1,075 feet across lands of N. Walter Goins to a point on the easterly right of way of Route 568; thence north $10^{\circ} 00'$ east approximately 200 feet along the easterly right of way of Route

568 to the point and place of beginning and containing 21.4 acres more or less of a 61.33 acre tract presently owned by N. S. Walter Goins; 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 054 84 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 3RD DAY OF JULY, 1984.

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