

RESOLUTION NO. R 056 81

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A BORROW PIT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.16 ACRES, MORE OR LESS

WHEREAS, on the 3rd day of August, A. D. 1981, an application for a Conditional Use of land in a MR Medium Density Residential District for a Borrow Pit, denominated C/U #645, was filed on behalf of Melvin L. Joseph Construction Co.; and

WHEREAS, on the 26th 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 #645 be approved; and

WHEREAS, on the 15th day of September, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #645 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 Melvin L. Joseph Construction Co. for a Conditional Use of land in a MR Medium Density Residential District for a borrow pit to be located in the Baltimore 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 the Baltimore Hundred, Sussex County, Delaware, and lying at the end of Route 346B, 1,600 feet north of Route 346 and more particularly described as a parcel 550 feet wide and 250 feet deep and being 25 feet from lands of Elisha Hudson and 50 feet from lands of Cedar Neck Development Company and containing approximately 3.16 acres on lands of Ocean River Joint Venture;

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:

1. A revised subdivision plan of Ocean River Acres shall be required to be submitted to the Commission for review and approval.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 056 81 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 15TH DAY OF SEPTEMBER, 1981.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL