

RESOLUTION NO. R 056 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BORROW PIT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 7.34 ACRES OF 95.13 ACRES, MORE OR LESS

WHEREAS, on the 21st day of July, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a Borrow Pit, denominated C/U #752, was filed on behalf of T. Harold Palmer, Jr. and Carole M.; and

WHEREAS, on the 25th day of August, 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 #752 be approved; and

WHEREAS, on the 13th day of September, A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #752 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 T. Harold Palmer, Jr. and Carole M. for a Conditional Use of land in an AR-1 Agricultural

Residential District for a Borrow Pit to be located in Broadkill 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 Broadkill Hundred, Sussex County, Delaware, and lying on the south side of Route 252 and being more particularly described as follows:

FROM a point on the southerly right of way of Route 252 at a point of curvature of Route 252 and at the intersection of Route 252 and a Branch; thence southerly with a line extending from the southerly right of way of Route 252, 237 feet to a point; thence turning northeasterly with a 90° angle 300 feet to the beginning point; thence turning southeasterly with a 90° angle 800 feet to a point; thence turning northeasterly with a 90° angle 400 feet to a point; thence turning northwesterly with a 90° angle 800 feet to a point; thence turning southwesterly with a 90° angle 400 feet to the point and place of beginning and containing 7.34 acres more or less of a 95.13 acre tract; 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 056 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 13TH DAY OF SEPTEMBER, 1983.

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