

RESOLUTION NO. R 059 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OFFICE BUILDING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 13.11 ACRES MORE OR LESS

WHEREAS, on the 29th day of July, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for an office building, denominated C/U #754, was filed on behalf of Tunnell Companies, L. P.; and

WHEREAS, on the 8th day of September, 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 #754 be approved; and

WHEREAS, on the 27th day of September, A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #754 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 Tunnell Companies, L. P. for a Conditional Use of land in an AR-1 Agricultural Residential District for an office building to be located in Indian River 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 Indian River Hundred, Sussex County, Delaware, and lying on the south-east corner of Route 22 and Route 22C and being more particularly described as follows:

BEGINNING at a point on the southerly right of way of Route 22 at the northeast point of sight easement for the intersection of Route 22C; thence south  $10^{\circ} 58' 14''$  west 56.96 feet along aforementioned sight easement to a point on the easterly right of way of Route 22C; thence south  $33^{\circ} 27' 35''$  east 884.12 feet along the easterly right of way of Route 22C to a point; thence north  $38^{\circ} 02' 15''$  east 729.48 feet to a point; thence north  $36^{\circ} 31' 24''$  west 789.59 feet to a point on the southerly right of way of Route 22; thence south  $46^{\circ} 00' 44''$  west 444.86 feet along the southerly right of way of Route 22 to a point; thence south  $51^{\circ} 56' 04''$  west 172.88 feet along the southerly right of way of Route 22 to the point and place of beginning and containing 13.11 acres more or less as surveyed by J. J. McCann, Inc.; 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 059 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 27TH DAY OF SEPTEMBER, 1983.

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