

RESOLUTION NO. R 062 81

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR AN AUTOMOBILE REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.98 ACRES, MORE OR LESS

WHEREAS, on the 17th day of August, A. D. 1981, an application for a Conditional Use of land in a GR General Residential District for an Automobile Repair Shop, denominated C/U #648, was filed on behalf of Irving J. Hall; and

WHEREAS, on the 24th day of September, 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 #648 be approved; and

WHEREAS, on the 13th day of October, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #648 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 Irving J. Hall for a

Conditional Use of land in a GR General Residential District for an automobile repair shop to be located in the Cedar 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 the Cedar Creek Hundred, Sussex County, Delaware, and lying on the southeasterly intersection of Route 36 and Route 42 and bounded as follows:

BEGINNING at a point on the southerly side of Route 36, a corner for this subject land and lands now or formerly of Rodney Wilson and the centerline of Bowman Branch; thence southerly by and along the centerline of Bowman Branch the following 3 courses: south 05° 05' 43" east 288.83 feet to a point; south 06° 45' 52" east 95.43 feet to a point; south 21° 46' 28" east 46.76 feet to a point; thence north 68° 02' 19" west 423.62 feet to a point on the easterly right of way of Route 42; thence northerly by and along the easterly right of way of Route 42 with the arc of curve a distance of 257.55 feet to a point on the southerly right of way of Route 36; thence north 61° 59' east 182.58 feet along the southerly right of way of Route 36 to the point and place of beginning and containing 1.98 acres more or less;

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:

(a) There shall be no large truck repairs.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 062 81 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 13TH DAY OF OCTOBER, 1981.

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