

RESOLUTION NO. R 070 83

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RETAIL PRODUCE STAND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 9,695 SQUARE FEET MORE OR LESS

WHEREAS, on the 26th day of August, A. D. 1983 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a retail produce stand, denominated C/U #760, was filed on behalf of John C. Street; and

WHEREAS, on the 20th day of October, 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 #760 be approved; and

WHEREAS, on the 8th day of November, A. D. 1983 a public hearing, after notice, was held before the County Council of Sussex County on C/U #760 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 John C. Street for a Conditional Use of land in an AR-1 Agricultural Residential District

for a retail produce stand 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 east side of Route 13 and being more particularly described as follows:

BEGINNING at a point on the easterly side of Route 13, 2,780 feet south of the centerline of Route 404, a corner for this subject land and lands now or formerly of P. A. Corey; thence south $85^{\circ} 50'$ east 88.0 feet to a point; thence south $02^{\circ} 30'$ west 108.0 feet to a point; thence north $88^{\circ} 00'$ west 88.75 feet to a point on the easterly right of way of Route 13; thence north $02^{\circ} 55'$ east 111.5 feet along the easterly right of way of Route 13 to the point and place of beginning and containing 9,695 square feet more or less and being lands presently owned by Epamin G. Vastardis; 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 070 83 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 8TH DAY OF NOVEMBER, 1983.

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