

RESOLUTION NO. R 073 81

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RETAIL ANTIQUE SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 0.57 ACRES, MORE OR LESS OF A 5.23 ACRE TRACT

WHEREAS, on the 8th day of October, A. D. 1981, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a retail antique sales, denominated C/U #655, was filed on behalf of George S. Fensick; and

WHEREAS, on the 12th day of November, 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 #655 be approved; and

WHEREAS, on the 1st day of December, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #655 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 George S. Fensick for a Conditional Use of land in an AR-1 Agricultural Residential District for a retail antique sales to be located in Broad 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 Broad Creek Hundred, Sussex County, Delaware, and lying on the southerly side of Route 9 and bounded as follows:

BEGINNING at a point on the southerly side of Route 9 a corner for this subject land and lands of Gary Pianka, and being 380 feet more or less west of Route 473; thence south  $17^{\circ} 34'$  east 151 feet to a point; thence south  $63^{\circ} 18' 30''$  west 155 feet to a point; thence north  $26^{\circ} 42' 30''$  west 150 feet to a point on the southerly side of Route 9; thence north  $63^{\circ} 18' 30''$  east 180 feet to the point and place of beginning and containing 0.57 acres more or less of a 5.23 acre tract;

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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 073 81 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 1ST DAY OF DECEMBER, 1981.

  
EMOGENE P. ELLIS  
CLERK OF THE COUNTY COUNCIL