

RESOLUTION NO. R 076 81

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A BOAT AND AUTO REPAIR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.0 ACRE, MORE OR LESS, OF A 3.31 ACRE TRACT

WHEREAS, on the 20th day of October, A. D. 1981, an application for a Conditional Use of land in a MR Medium Density Residential District for a boat and auto repair, denominated C/U #658, was filed on behalf of David Matthews, Jr.; and

WHEREAS, on the 19th 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 #658 be approved; and

WHEREAS, on the 8th day of December, A. D. 1981, a public hearing, after notice, was held before the County Council of Sussex County on C/U #658 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 David Matthews, Jr. for a Conditional Use of land in a MR Medium Density Residential District for a Boat and Auto Repair to be located in the Broadkill 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 Broadkill Hundred, Sussex County, Delaware, and lying on the southwesterly side of Route 88 and bounded as follows:


From a point on the northwesterly right of way of Route 88, a corner for lands now or formerly of James Lowe and James Reid, north $50^{\circ} 22'$ west 211.58 feet to the beginning point; thence south $48^{\circ} 45'$ west 152.85 feet along lands now or formerly of James Reid to a point; thence north $41^{\circ} 15'$ west 288 feet more or less to a point on line of this subject land and lands of Norman Neff; thence north $47^{\circ} 17'$ east 120 feet more or less to a point; thence south $50^{\circ} 22'$ east 289.92 feet to the beginning point and containing one (1) acre more or less of a 3.31 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;

BE IT FURTHER RESOLVED that this Conditional Use is granted subject to the following special condition:

1. All storage and work shall be contained within the existing building.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 076 81 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 8TH DAY OF DECEMBER, 1981.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL