

RESOLUTION NO. R 084 82

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GENERAL MACHINE SHOP AND SMALL ENGINE REPAIR AND SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 1.075 ACRES MORE OR LESS

WHEREAS, on the 23rd day of July, A. D. 1982 an application for a Conditional Use of land in an AR-1 Agricultural Residential District for a General Machine Shop and Small Engine Repair and Sales, denominated C/U #698, was filed on behalf of Mr. and Mrs. James Brooks Mears, Jr.; and

WHEREAS, on the 9th day of September, A. D. 1982 a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #698 be approved; and

WHEREAS, on the 28th day of September, A. D. 1982 a public hearing, after notice, was held before the County Council of Sussex County on C/U #698 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 Mr. and Mrs. James Brooks Mears, Jr. for a Conditional Use of land in an AR-1 Agricultural Residential District for a General Machine Shop and Small Engine Repair and Sales to be located in the Dagsboro 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 situate in the Dagsboro Hundred, Sussex County, Delaware, and lying on the north side of Route 471 and bounded as follows:

BEGINNING at a point on the northerly right of way of Route 471, a corner for this subject land and lands of George R. Mears; thence north $55^{\circ} 13' 00''$ east 195.25 feet to an iron pipe in centerline of a ditch; thence running with the centerline of said ditch the following five (5) courses and distances: (1) north $55^{\circ} 19' 22''$ east 121.49 feet to a point of curvature; (2) deflecting right along an 18.17 radius curve 18.28 feet to a point of tangency; (3) south $67^{\circ} 01' 04''$ east 42.47 feet to a point of intersection of another ditch; (4) south $09^{\circ} 37' 27''$ east 214.03 feet; and (5) south $11^{\circ} 50' 15''$ west 18.16 feet to a point on the northerly right of way of Route 471; thence north $79^{\circ} 45'$ west 354.51 feet along the northerly right of way of Route 471 to the point and place of beginning and containing 1.075 acres more or less; and

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 084 82 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 28TH DAY OF SEPTEMBER, 1982.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL