

AMENDMENT TO THE ZONING ORDINANCE OF THE TOWN OF SELBYVILLE, SUSSEX COUNTY, DELAWARE, CHAPTER 200, AND THE ZONING MAP OF THE TOWN OF SELBYVILLE, AS AMENDED, TO REZONE REAL PROPERTY IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 5-33 16.16 102.00 FROM HR HISTORIC RESIDENTIAL TO HB HISTORIC BUSINESS AND TO REZONE REAL PROPERTY IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 5-33 16.12 35.01 FROM R-2 RESIDENTIAL TO HB HISTORIC BUSINESS.

WHEREAS, following a lengthy and thorough study and review process, the Town of Selbyville revised, updated, amended and readopted the Town’s Comprehensive Plan, all in accordance with 22 Del.C. § 702; and

WHEREAS, the Town received the final certification of its revised, updated, amended and readopted Comprehensive Plan from the State of Delaware and, in furtherance of the Town’s obligation under 22 Del.C. § 702(c) to amend its official zoning map and rezone all lands with the Town in accordance with the uses of land provided for in the Town’s Comprehensive Plan, the Mayor and Town Council, in accordance with § 200-147.B. of the Zoning Code of the Town of Selbyville (“Zoning Code”), initiated the rezoning process for the following parcels of real property located within the jurisdictional limits of the Town: Sussex County Tax Map and Parcel Numbers 5-33 16.16 102.00, and 5-33 16.12 35.01; and

WHEREAS, the Mayor and Town Council hereby proposed to rezone the real property identified as Sussex County Tax Map and Parcel Number 5-33 16.16 102.00 from HR Historic Residential to HB Historic Business, and to rezone the real property identified as Sussex County Tax Map and Parcel Number 5-33 16.12 35.01 from R-2 Residential to HB Historic Business; and

WHEREAS, 22 Del. C. §304 and §200-147.C. of the Zoning Code provide that any amendment to any zoning ordinance shall be after a public hearing following fifteen (15) days’ notice thereof by publication in an official paper or a paper of general circulation within the municipality; and

WHEREAS, a public hearing was held on Monday, January 4, 2021, to consider amending the Zoning Ordinance of the Town of Selbyville, Chapter 200, and the Zoning Map of the Town of Selbyville, as amended, by rezoning the real property identified as Sussex County Tax Map and Parcel Number 5-33 16.16 102.00 from HR Historic Residential to HB Historic Business, and rezoning the real property identified as Sussex County Tax Map and Parcel Number 5-33 16.12 35.01 from R-2 Residential to HB Historic Business; and

WHEREAS, the Mayor and Town Council, after consideration of any comments received from the public, believe the subject rezonings are reasonable and appropriate for the reasons set forth in the Planning and Zoning Commission’s report, including, but not limited to,

conformance with the Comprehensive Plan for the Town.

NOW THEREFORE BE IT ORDAINED by the Mayor and Town Council of the Town of Selbyville, in session met, a quorum pertaining at all times thereof, that the Zoning Ordinance of the Town of Selbyville, Chapter 200, and the Zoning Map of the Town of Selbyville, as amended, be and are hereby further amended as follows, to wit:

Item 1:

To amend the Zoning Ordinance of the Town of Selbyville, Chapter 200, and the Zoning Map of the Town of Selbyville, as amended, by striking as part of the HR Historic Residential Zoning District the property identified as Sussex County Tax Map and Parcel No. 5-33 16.16 102.00, which is more particularly described as follows:

ALL that certain tract, piece or parcel of land lying and being situate on the West side of Main Street in the Town of Selbyville, Baltimore Hundred, Sussex County, State of Delaware, bounded and described as follows, to wit: - BEGINNING at a point a corner for this lot and a lot this day conveyed to Ray L. Holloway, Jr.; thence along the West side of Main Street South 5 degrees East 116' to a point, a corner for this lot and a lot of Agnes G. Holland; thence turning South 72 degrees East along the line of Agnes G. Holland land 210' to a point; thence turning North 5 degrees West 163' to a point; a corner for this lot and a lot this day conveyed to Ray L. Holloway, Jr.; thence North 85 degrees East 200' home to the Place of beginning, be the content what they may.

Item 2:

To amend the Zoning Ordinance of the Town of Selbyville, Chapter 200, and the Zoning Map of the Town of Selbyville, as amended, by adding to the HB Historic Business District the property identified as Sussex County Tax Map and Parcel No. 5-33 16.16 102.00, which is more particularly described as follows:

ALL that certain tract, piece or parcel of land lying and being situate on the West side of Main Street in the Town of Selbyville, Baltimore Hundred, Sussex County, State of Delaware, bounded and described as follows, to wit: - BEGINNING at a point a corner for this lot and a lot this day conveyed to Ray L. Holloway, Jr.; thence along the West side of Main Street South 5 degrees East 116' to a point, a corner for this lot and a lot of Agnes G. Holland; thence turning South 72 degrees East along the line of Agnes G. Holland land 210' to a point; thence turning North 5 degrees West 163' to a point; a corner for this lot and a lot this day conveyed to Ray L. Holloway, Jr.; thence North 85 degrees East 200' home to the Place of beginning, be the content what they may.

Item 3:

To amend the Zoning Ordinance of the Town of Selbyville, Chapter 200, and the Zoning Map of the Town of Selbyville, as amended, by striking as part of the R-2 Residential

Zoning District the property identified as Sussex County Tax Map and Parcel No. 5-33 16.12 35.01, which is more particularly described as follows:

[INSERT NEW LEGAL DESCRIPTION ONCE RECEIVED FROM PROPERTY OWNER]

Item 4:

To amend the Zoning Ordinance of the Town of Selbyville, Chapter 200, and the Zoning Map of the Town of Selbyville, as amended, by adding to the HB Historic Business District the property identified as Sussex County Tax Map and Parcel No. 5-33 16.12 35.01, which is more particularly described as follows:

[INSERT NEW LEGAL DESCRIPTION ONCE RECEIVED FROM PROPERTY OWNER]

AND BE IT FURTHER RESOLVED that the Town Administrator be and she is hereby authorized and directed to cause a Notice which shall consist of a true copy of this Amendment, by title only or a summary thereof, to be published in a newspaper of general circulation in the Town of Selbyville.

I, Deborah L. McCabe, Secretary of the Town Council of the Town of Selbyville, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Town Council at its meeting on the 4th day of January, A.D. 2021, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Deborah L., McCabe, Secretary