

ORDINANCE NO. 27

With Conditions

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN R-RESIDENTIAL DISTRICT FOR USE AS A GIFT SHOP, ANTIQUE SHOP, TEA ROOM, AND SPECIAL EVENTS CENTER AND DOG KENNEL TO BE LOCATED ON CERTAIN PARCELS OF LAND LYING AND BEING IN THE TOWN OF FRANKFORD, SUSSEX COUNTY, IDENTIFIED ON A SUSSEX COUNTY TAX MAP AS T.M. PARCEL NO. 4-33-06.11-11 AND 12.

WHEREAS, on 1 day of ~~August~~ ^{July} 2002, a Conditional Use Application was filed on behalf of Robert and Marla Daisey; and

WHEREAS, on the 17th of September, 2002, a public hearing was held, after notice, before the Planning Commission of Frankford and the Planning Commission recommended the Conditional Use be approved, subject to conditions; and

WHEREAS, on the 24 day of September, 2002, a public hearing was held, after notice, before the Town Council of Frankford and the Town Council of Frankford, based on the Finding of Facts determined that said Conditional Use promotes the health, safety, morals, convenience, order, prosperity and welfare the present and future in habitants of the Town of Frankford and that the Conditional Use is for the general convenience and welfare of the inhabitants of Frankford;

NOW COME, THEREFORE, the Town Council of Frankford hereby ordains:

Section 1. Pursuant to Article XVI, Section 1, et seq., of the Frankford Zoning Ordinance, a Conditional Use is granted to the property hereinafter described for the following uses: gift shop, tea room, antique shop, house tours, special events center, cooking facilities and dog kennels:

ALL that certain real property lying being and situated in the Town of Frankford, Dagsboro Hundred, Sussex County, Delaware, defined on the Tax Maps of Sussex County Department of Finances, Map No. 4-33-06.19-11 and 12, and as more particularly set out in a survey thereof prepared by Simpler Surveying and Associates, dated November 15, 2001, said

property containing 33,122 square feet, more or less and being located at the intersection of Main Street and Reed Street within said town.

This ordinance is subject to the following conditions:

1. Special events may be held inside and outside in areas of 2,511 square feet as shown on the site plan. Special events shall not begin before 8:00 a.m. and shall be concluded before 11:00 p.m. Tents shall be provided for each outside use in case of inclement weather.
2. A gift shop shall be permitted in the first floor of the main structure for the sale of coffee, soaps, jewelry and souvenirs. The hours of operation shall be from 8:00 a.m. until 11:00 p.m.
3. An antique shop shall be permitted in the first floor of the main structure for the sale of displayed items. The hours of operation shall be from 8:00 a.m. until 11:00 p.m.
4. A private "dog pen" may be used by the owners and may provide no more than two (2) spaces for guest dogs accommodated without charge
5. Only one (1) sign shall be permitted and shall not exceed 216 square inches and shall be no more than thirty (30) inches above ground level.
6. Off-street parking as follows:
 - a. For the previously listed special exception use as a Bed and Breakfast Inn, one (1) space per rental room plus two (2) for the resident family.
 - b. For the additional conditional uses, one space for each fifty (50) square feet of patron use plus one (1) for each two (2) employees and/or service personnel. A letter of permission is on file from the Frankford Presbyterian Church to allow off-street parking at their location for the special events AND a lease for the McMillon property located on Reed St. also on file, will be used for no more than nine (9) parking spaces.
7. The applicant shall secure all other licenses and permits required for the use of the premises including, but not limited to the Delaware State Fire Marshall, The Department of Health and the Alcoholic Beverage Control Commission.
8. Any violation of the conditions shall result in immediate revocation of these Conditional uses.

This ordinance shall become effective immediately upon its adoption by a majority vote of all members of the Town Council of Frankford.

TOWN OF FRANKFORD

By William E. Roman

Dated: 11/4/02