

RESOLUTION # 115

**A RESOLUTION OF THE TOWN OF DEWEY BEACH DELAWARE APPROVING A
CONDITIONAL USE SITE PLAN IN THE RESORT BUSINESS 1 DISTRICT.**

WHEREAS, Dewey Beach Enterprises has proposed to modify the interior of the Crabbers Cove Restaurant in the Ruddertowne Complex on Dickinson St. 1707 in the Resort Business 1 District;

WHEREAS, the proposed use is a conditional use requiring conditional use approval under Table 3 of Chapter 185, Zoning, of the Dewey Beach Municipal Code, 2005, as amended; and

WHEREAS, Chapter 144 requires a Certificate of Compliance be approved for conforming restaurants.

NOW, THEREFORE, BE IT RESOVED BY THE TOWN COMMISSONERS OF THE TOWN OF DEWEY BEACH, DELAWARE IN SESSION MET THIS 25th DAY OF APRIL, 2009, THAT:

SECTION 1. After reviewing the proposal, the Commissioners of the Town of Dewey Beach find that the location is appropriate, the public health, safety, morals and general welfare will not be adversely affected, the use will not contribute to a traffic problem on congested roads, the necessary safeguards will be provided for the protection of surrounding property, persons and neighborhood values.

SECTION 2. The Town Commissioners of the Town of Dewey Beach hereby grant conditional use approval to Dewey Beach Enterprises to operate Crabbers Cove restaurant on Dickinson Ave. and Coastal Highway in the Resort Business 1 District as a conforming restaurant with the following conditions. (1) No gambling or sports betting of any type. (2) Garage doors to be closed at 11:00 p.m. every night. (3) Outside deck to be closed at 11:00 p.m. (4) Hours of operation Monday thru Thursday 8:00 a.m. to 11:00 p.m. Friday thru Sunday 8:00 a.m. to 1:00 a.m. (5) Some type of gate to separate the deck area at Town Managers discretion.

SECTION 3. This Resolution shall become effective immediately upon adoption by a majority of the Commissioners of the Town of Dewey Beach on April 25, 2009.

Mayor Dell Tush

Town Manager Gordon E. Elliott