

RESOLUTION NO.117

A RESOLUTION TO PERMIT A CONDITIONAL USE FOR AN EXTENSION OF PROPERTY RESTAURANT IN THE RB-RESORT BUSINESS DISTRICT LOCATED ON COASTAL HIGHWAY DEWEY BEACH, DE ON THE PROPERTY OF 1603 COASTAL HIGHWAY ALSO KNOWN AS GROTTA PIZZA, SOUTH OF MCKINLEY AVE. AND NORTH OF READ AVE.

WHEREAS, on the 12th day of April, 2008 a public hearing was duly held, after proper notification, for a conditional use in the RB-Resort Business district for a extension of property (Tent for Gelato Vending) filed by Dominick Pulieri and authorized agent for Grotto Pizza to be located at 1603 Coastal Highway in Dewey beach, Delaware being part of Sussex County Tax District Map 20.18 Parcel 007.500, pursuant to Subsection 25(11)(a)(1) of Chapter 185 and in accordance with the definition and requirements of a Restaurant in Chapter 14-4; and

WHEREAS, on the 12th day of April, 2008, the Dewey Beach Town Commissioners adopted Ordinance 617, thereby approving the request for the conditional use, with section (9) of Ordinance conditioning the approval on a trial period to expire April 11, 2009; and

WHEREAS, as of the 11th day of April, 2009 the Town received no complaints and the conditional use was operated in the prescribed manner.

NOW, THEREFORE, BE IT RESOVED BY THE TOWN COMMISSIONERS OF THE TOWN OF DEWEY BEACH, DELAWARE IN SESSION MET THIS 8th DAY OF MAY, 2009, THAT:

SECTION 1. Section (9) of Ordinance 617, be deleted in its entirety and the trial period for this Ordinance be satisfied.

SECTION 2. This Resolution shall become effective immediately upon adoption May 8, 2009 by a majority of the Commissioners of the Town of Dewey Beach.

Mayor Dell Tush

Town Manager Gordon E. Elliott