

**Resolution No.: 02-23-15-069**

**Date: 02-23-2015**

**RESOLUTION PROPOSING PUBLIC HEARING FOR REVIEW  
OF A REVISION TO THE LAND USE ORDINANCE  
BY THE ADDITION OF SECTION 4.9 RE-ZONING  
IN ACCORDANCE WITH THE CHARTER OF THE TOWN OF CHESWOLD**

**Whereas;** the Charter of the Town of Cheswold, Section 4.2.48, authorizes the Town Council to make, adopt and establish, alter and amend all such Ordinances, Regulations, Rules and By-Laws not contrary to the laws of the State and the United States, as the Town Council may deem necessary to carry into effect any of the provisions of the Charter or any other law of the State relating generally to municipal corporations or which they may deem proper and necessary for their protection and good government of the Town.....; and

**Whereas;** the Land Use Ordinance of the Town of Cheswold, Section 16-1 authorizes the Town Council to approve changes to a proposed text amendment; and

**Whereas;** the Land Use Ordinance of the Town of Cheswold, Section 16-3 directs said Council to conduct a Public Hearing to obtain comment from all interested parties and citizens; and

**Whereas;** the Mayor and Council of the Town of Cheswold pursuant to the requirements of the Town Charter and the Land Use Ordinance, deem it in the best interest of the Town of Cheswold to solicit public comment and opinion on the recommendation of the Planning Commission, (Memo 14-014, dated December 12, 2014), to amend the September 10, 2007 Edition and subsequent changes to the Land Use Ordinance by the addition of Section 14-9 Re-Zoning; and

**Whereas;** the purpose of the amendment is to provide specific information and directions for a titled land owner, the Land Use Administrator or the Planning Commission to petition the Town of Cheswold, to change and/or correct the current Zoning Code of a parcel, lot or property within the corporate limits of the Town Cheswold; and

**Whereas;** the revision will comply with all requirements for Zoning as specified by the currently approved Town of Cheswold Comprehensive Plan;

Whereas, the Mayor and Town Council will give proper notification of the proposed amendment to the property owners and the residents of the Town adoption of this resolution;

Be it resolved, that:

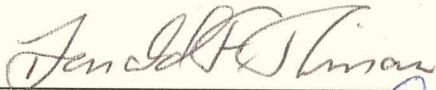
1. A Public Hearing is to be held by the Town Council, who shall sit to hear comments and opinions from any concerned party regarding the proposed amendment of the September 10, 2007 Edition of the Land Use Ordinance Town of Cheswold of the Town of Cheswold, Kent County, State of Delaware.
2. The Public Hearing shall be held before the regular Town Council Meeting on the 6<sup>th</sup> day of **April, 2015**, beginning at **6:00 p.m.**, in the **Cheswold Town Hall, 691 Main Street, Cheswold, DE 19936.**

The purpose of the hearing is to obtain public comment and legislative fact finding from any concerned party, on the question of amending text of the Land Use Ordinance to include a new section specifying the requirements and processes for Re-Zoning of property/lots within the corporate limits of the Town of Cheswold. The Town Council is not bound to react in response to any comments or information offered at the hearing.

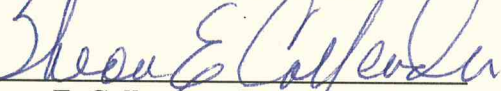
Anyone desiring to provide comments must submit their names to the Town Clerk at 302-734-6991, by close of business on Thursday, April 2, 2015.

This resolution was duly adopted by the Town Council at the Town of Cheswold Town Council Meeting, held on Monday, March 2, 2015.

I, Donald Tinari, Mayor of the Town of Cheswold, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by an affirmative majority vote of all elected members of the Town Council of Cheswold at a regularly scheduled Town Council Meeting, held on, Monday, March 2, 2015 at which a quorum was present and voting throughout, and that the same is still in force and effect.

CERTIFIED:   
Donald F. Tinari - Mayor


Date: March 2, 2015

ATTEST:   
Theon E. Callender - Secretary/Treasurer

Date: March 2, 2015

Agreed:   
Vice-Mayor Robert W. Sine

Date: March 2, 2015

Agreed:   
Councilperson Sherry Lambertson

Date: March 2, 2015

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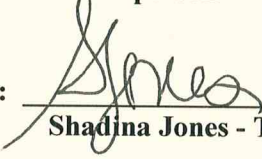
**Date: 02-23-2015**

**Agreed:** Position Vacant  
**Councilperson**

**Date: March 2, 2015**

**Agreed:** Position Vacant  
**Councilperson**

**Date: March 2, 2015**

**NOTARIZED:**   
**Shadina Jones - Town Clerk**

**Date: March 2, 2015**

**Primary Sponsor: Land Use Administrator Theon E. Callender**

**Co-Sponsor: n/a**

**Introduction: March 2, 2015**

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