

1     **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEWES,**  
2     **DELAWARE, PROPOSING THAT A PUBLIC HEARING BE HELD ON THE SUBJECT**  
3     **OF A SITE PLAN FOR THE BEACH HOUSE OF LEWES (SP-4-23) FOR THE**  
4     **CONSTRUCTION OF A HOTEL, SMALL COMMERCIAL BUILDING WITH SITE**  
5     **IMPROVEMENTS LOCATED AT 209 E. SAVANNAH RD., SCTM: 335-4.20-192.00**  
6

7     **WHEREAS**, the Mayor and City Council of the City of Lewes have deemed it desirable  
8 to consider a Site Plan (SP-4-23 the Beach House of Lewes) for the construction of a new hotel  
9 with a small commercial building with site improvements. The property is located at 209 E.  
10 Savannah Rd. as follows;  
11

12     **WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or  
13 the purpose of promoting health, safety, morals or the general welfare of the community, the  
14 legislative body of cities and incorporated towns may regulate and restrict the height, number of  
15 stories and size of buildings and other structures, percentage of lot that may be occupied, the size  
16 of yards, courts and other open spaces, the density of population, and the location and use of  
17 buildings, structures and land for trade, industry, residence or other purposes”;  
18

19     **WHEREAS**, Section 38 of the City's Charter provides that “[f]or the purpose of protection  
20 against fire, promoting health, safety, morals or the general welfare of the community, the City  
21 Council is hereby empowered to adopt ordinances to regulate and restrict the height, number of  
22 stores [sic], size of buildings and other structures, the density of population and the location and  
23 use of buildings, structures and lands for trade, industry, residence or other purposes”;  
24

25     **WHEREAS**, Article V, Chapter 170, Section 38 of the Municipal Code of the City of  
26 Lewes provides the following procedure to be followed by the Mayor and City Council of Lewes  
27 before exercising the aforesaid authority granted by statute and the City Charter:  
28

- 29     **A.** Mayor and City Council review. Within 60 calendar days of receiving the Planning  
30 Commission's report and recommendations on the site development plan application,  
31 the Mayor and City Council shall consider the application at a public hearing.  
32

33             **(1)** Public hearing notification shall be provided by the applicant in accordance  
34 with § 170-9, Notice requirements  
35

36     **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council, in session  
37 met, a quorum pertaining at all times thereto, that a public hearing shall be held on December 4,  
38 2023, at 6:00 pm in the Margaret Rollins Community Center at 101 Adams Ave. Lewes, Delaware,  
39 19958 to consider to consider a Site Plan (SP-4-23 The Beach House of Lewes) for the construction  
40 of a hotel and small commercial building with site improvements. The property is located at 209  
41 E. Savannah Rd.  
42

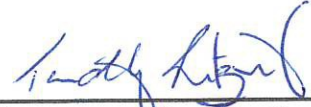
43     **BE IT FURTHER RESOLVED** that parties in interest and citizens shall have an  
44 opportunity to be heard at said public hearing.  
45

46           **BE IT FURTHER RESOLVED**, that the City Manager be and is hereby directed to cause  
47 a notice which shall consist of a true copy of this Resolution, in full or by title only, to be published  
48 in an official newspaper of the City of Lewes or a newspaper of general circulation in the City at  
49 least fifteen (15) days prior to the date set forth in this Resolution for the public hearing.

50  
51           **BE IT FURTHER RESOLVED** that the City Manager be and is hereby directed to post  
52 a notice and agenda of said public hearing at City Hall more than seven (7) days prior to the date  
53 set forth in this Resolution for the public hearing.

54  
55 Adopted by the Mayor and City Council  
56 of the City of Lewes  
57 November 13, 2023 \_\_\_\_\_

58  
59 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the  
60 foregoing is a true and correct copy of the Resolution passed by the Mayor and City Council at its  
61 meeting on November 13, 2023, at which a quorum was present and voting throughout and the  
62 same is still in full force and effect.

63  
64   
65 \_\_\_\_\_  
66 Secretary of the City Council  
67 the City of Lewes