

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

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

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

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

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

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

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

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


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

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.

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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.

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65 _____
66 Secretary of the City Council
67 the City of Lewes