

**ORDINANCE NO. A07-5**

**With Conditions**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN R-1  
RESIDENTIAL DISTRICT FOR A CHILD DAYCARE CENTER  
TO BE LOCATED AT 11 CHURCH STREET  
IN THE TOWN OF BRIDGEVILLE, DELAWARE**

**WHEREAS**, on the 11<sup>th</sup> of January, 2007, Timothy A. Banks and Chantel Banks filed a Conditional Use Application to operate a child day care center at 11 Church Street; and

**WHEREAS**, on the 9<sup>th</sup> day of April, 2007, the Commissioners of Bridgeville held, after notice, a public hearing and considered the presentation of the applicants and members of the public;

**NOW, THEREFORE, THE COMMISSIONERS OF BRIDGEVILLE  
HEREBY ORDAIN:**

Section 1. Based upon the record of the public hearing held on April 9<sup>th</sup>, 2007, the Commissioners find that the conditional use application:

- a. Is in harmony with the purposes and intent of the Comprehensive Plan;
- b. Will be in harmony with the general character of the neighborhood considering density, design, bulk, and scale of proposed new structures;
- c. Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties;
- d. Will not cause objectionable noise, vibrations, fumes, odors, dust, glare, or physical activity;
- e. Will have no detrimental effect on vehicular or pedestrian traffic;
- f. Will not adversely affect the health, safety, security or general welfare of residents, visitors, or workers in the area; and
- g. Complies with all other applicable standards, laws and regulations in addition to the provisions of the Land Use and Development Code;

Section 2. Pursuant to Article VI, § 234-30 B.(3) of the Land Use and Development Code of the Town of Bridgeville, a Conditional Use for a child day care center is granted to the property known as 11 Church Street, said property containing 11,789 square feet of land, more or less, and identified on the tax maps of the Sussex County Department of Finance as T.M. No. 1-31-10.12-90.

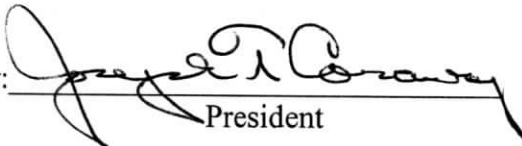
Section 3. This Ordinance is subject to the following conditions:

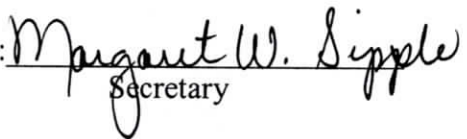
- a. The applicant or the operator of the child day care center shall at all times be licensed by the State of Delaware Department of Services for Children, Youth, and Their Families.
- b. The hours of operation shall be between 6:30 A.M. and 5:30 P.M., Monday through Friday.
- c. No more children than permitted by the applicant's license from the State of Delaware Department for Services for Children, Youth and Their Families shall be on the premises at one time.
- d. There will be no more than three (3) employees, all of whom must be properly licensed and supervised according to all applicable ordinances, statutes, rules, and regulations.
- e. Adequate parking shall be provided for employees and parental pick up and delivery.
- f. Children shall play in an outside fenced-in yard.
- g. One sign is permitted. The sign may be up to 1' by 2' in size and may not be lighted.
- h. The applicant and her employees shall secure all other licenses and permits required for the use of the premises as a day care/learning center from state, federal or county agencies with jurisdiction over the use of the property and shall otherwise comply with all applicable rules, regulations, statutes or ordinances relating to the use of the property and the zoning requirements of that district. The applicant shall provide to the Town copies of all licenses and permits issued by agencies or governmental entities.

Section 4. This ordinance shall take effect immediately upon its adoption by a majority vote of all the members elected to the Commissioners of Bridgeville.

**COMMISSIONERS OF BRIDGEVILLE**

{SEAL}

By:   
President

Attested by:   
Secretary

Adopted: April 9, 2007