

Ordinance No. ____

AN ORDINANCE APPROVING AN AMENDMENT OF AN EXISTING CONDITIONAL USE PERMIT HELD BY MUAYYAD ABUAHMADEH/DEWEY KABOB.

WHEREAS, on July 13, 2007 a Conditional Use for a restaurant located in Ocean Winds Village, Suite #5, 1905 Highway One, Map number 3-34-20.18, Parcel 14; and

WHEREAS, the Conditional Use granted was for a non-conforming use, which specifically included permission to remain open until 3:00 a.m.; and

WHEREAS, the original conditional use permit did not provide for seating for customers of the restaurant; and

WHEREAS, the original recipient of the conditional use permit assigned same to the above-referenced applicant; and

WHEREAS, the applicant hereunder wishes to add seating both indoors and outdoors to better serve its customers as depicted in attachments to its application; and

WHEREAS, public hearings were held on the matter on August 3, 2018 (before Planning and Zoning) and August 24, 2018, the latter being before the Commissioners of the Town of Dewey Beach; and

WHEREAS, the Planning and Zoning Commission has recommended approval of the application to amend the Conditional Use permit by adding indoor seating in accordance with the depictions attached hereto.

WHEREAS, the Planning Commission makes no recommendation on the request for outdoor seating because the proposed outdoor seating does not constitute an on premises service area.

NOW THEREFORE:

BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, that the Conditional Use Permit for Dewey Kabob be amended to allow indoor seating in accordance with the depiction(s) attached hereto.

ENACTED AND ORDAINED into law this 24th day of August, 2018.

TJ Redefers, Mayor

Scott Koenig, Town Manager