

**AN ORDINANCE TO AMEND CHAPTER 130 OF
THE MUNICIPAL CODE OF THE TOWN OF HENLOPEN ACRES BY
AMENDING SECTIONS 130-6 AND 130-7,
AND ATTACHMENT “130 ATTACHMENT 1”,
RELATING TO THE OFFICIAL TOWN OF HENLOPEN ACRES ZONING MAP.**

WHEREAS, the Board of Commissioners of The Town of Henlopen Acres approved the 2014 Comprehensive Plan update on July 10, 2015 and such approval was affirmed by through the adoption of a confirming ordinance on March 4, 2016;

WHEREAS, Map 5 of the 2014 Comprehensive Plan update accurately reflects the current zoning designations of land contained within the Town of Henlopen Acres;

WHEREAS, the Board of Commissioners of The Town of Henlopen Acres desire to adopt Map 5 of the 2014 Comprehensive Plan as the Town of Henlopen Acres Zoning Map; and

WHEREAS, a copy of Map 5 of the 2014 Comprehensive Plan is attached as Exhibit A.

BE IT ORDAINED, by the Board of Commissioners of the Town of Henlopen Acres, in session met, in the manner following to wit:

Section 1. Chapter 130, Section 130-6, of the Municipal Code of the Town of Henlopen Acres, Delaware, as amended be and the same is hereby further amended by deleting the attachment designated as “130 Attachment 1”, titled “Town of Henlopen Acres Zoning Map”, and inserting in lieu thereof a new attachment to be designated as “130 Attachment 1”, titled “Town of Henlopen Acres Zoning Map”, attached hereto as Exhibit A.

Section 2. Chapter 130, Section 130-6, of the Municipal Code of the Town of Henlopen Acres, Delaware, as amended be and the same is hereby further amended by deleting the first sentence of Section 130-6, and inserting in lieu thereof a new sentence as follows:

The boundaries of said districts shall be as shown upon a map designated as Map 5 within the Henlopen Acres 2014 Comprehensive Plan attached to and made a part of this chapter which shall be and is hereby designated as "Town of Henlopen Acres Zoning Map."

Section 3. Chapter 130, Section 130-7, of the Municipal Code of the Town of Henlopen Acres, Delaware, as amended be and the same is hereby further amended by deleting Section 130-7 in its entirety and inserting in lieu thereof a new Section 130-7 as follows:

§ 130-7 District boundaries.

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Town of Henlopen Acres Zoning Map, the following rules shall govern:

- A. The district boundaries shall be the center line of streets, avenues and lanes, unless otherwise shown; and where the designation of the Zoning Map indicates a boundary approximately upon a street line, the center line of such street shall be construed as the boundary.
- B. Where the district boundary indicates a boundary approximately upon a lot line, the lot line shall be construed as the boundary.
- C. In case of doubt or disagreement concerning the exact location of boundary lines the determination shall lie with the Board of Adjustment.

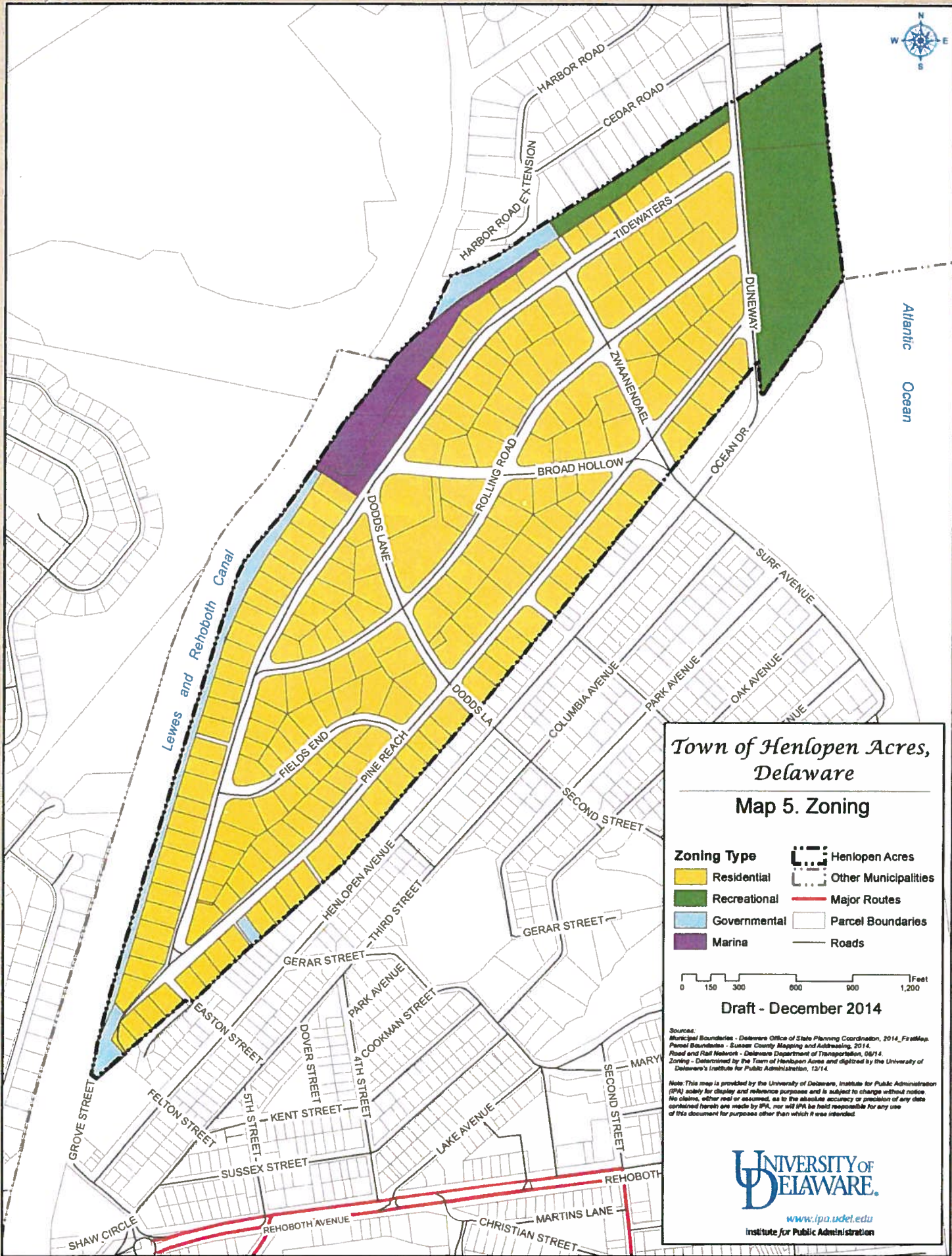
Section 4. This Ordinance shall become effective immediately upon its adoption by a majority vote of all members of the Board of Commissioners of Town of Henlopen Acres.

Adopted by the Commissioners of the Town of Henlopen Acres

on **January 13, 2016**



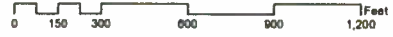
Assistant Secretary of the Board of Commissioners of the Town of Henlopen Acres



Town of Henlopen Acres, Delaware

Map 5. Zoning

Zoning Type	Henlopen Acres
Residential	Other Municipalities
Recreational	Major Routes
Governmental	Parcel Boundaries
Marina	Roads



Draft - December 2014

Sources:
Municipal Boundaries - Delaware Office of State Planning Coordination, 2014, *Final Map*.
Parcel Boundaries - Sussex County Mapping and Addressing, 2014.
Road and Rail Network - Delaware Department of Transportation, 06/14.
Zoning - Determined by the Town of Henlopen Acres and digitized by the University of Delaware's Institute for Public Administration, 12/14.

Note: This map is provided by the University of Delaware, Institute for Public Administration (IPA) solely for display and reference purposes and is subject to change without notice. No claims, either real or assumed, as to the absolute accuracy or precision of any data contained herein are made by IPA, nor will IPA be held responsible for any use of this document for purposes other than which it was intended.



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