

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: TEN PIN, LLC (Case No. 10914)

A hearing was held after due notice on December 19, 2011. The Board members present were: Mr. Dale Callaway, Mr. Jeff Hudson, Mr. Ronald McCabe, Mr. John Mills, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception to place a temporary manufactured home type structure for a sales office.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to place a temporary manufactured home type structure for a sales office. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property located northeast corner of Route 24 (John J. Williams Highway) approximately 1,360 feet east of Plantations Road; said property being identified as Sussex County Tax Map Parcel Number 3-34-12.00-57.03. After a hearing, the Board made the following findings of fact:

1. Mike Sabatoni from Ryan Homes and Christian Hudson testified on behalf of the Applicant.
2. Timothy Willard, Esquire, and Kenneth Christenbury, P.E., also appeared on behalf of the Applicant.
3. The Board found that the Applicant was proposing to construct a manufactured home measuring 24 feet by 60 feet to be used as a temporary sales office by its tenant Ryan Homes for its developments in eastern Sussex County. Ryan Homes will market lot / home packages for multiple communities in the vicinity of the Property.
4. The Board found that the Property is zoned as commercial property.
5. The Board found that Ryan Homes intends to landscape and place skirting around the manufactured home.
6. The Board found that the Applicant submitted proposed conditions which included the following:
 - a. The temporary sales office will be located according to the site plan submitted and shall be constructed consistent with the renditions submitted.
 - b. Parking spaces shall be designated in the adjacent parking lot.
 - c. Hours of operation shall be 10:00 A.M. to 6:00 P.M. Monday through Friday and 11:00 A.M. to 6:00 P.M. on Saturdays and Sundays.
 - d. All state and local regulatory approvals shall be achieved.
 - e. One (1) lighted sign is permitted on the building and one (1) off the building sign identifying the use therein is permitted.
 - f. The special use exception shall be valid for a period of five (5) years.
7. The Board found that the unit will provide easier access to prospective buyers to obtain information about Ryan Homes' lot / home packages in eastern Sussex County.
8. The Board found that the Applicant seeks this special use exception for a period of time not to exceed five (5) years.
9. The Board found that Mr. Sabatoni testified that such a use would not substantially affect adversely the use of neighboring properties.
10. No parties appeared in support of or opposition to the Application.
11. Based on the findings above and the testimony presented at the public hearing, the Board determined that the Application met the standards for granting a

special use exception as the proposed use did not substantially affect adversely the use of neighboring and adjacent properties.

The Board granted the special use exception finding that it met the standards for granting a special use exception.

Decision of the Board

Upon motion duly made and seconded, the application was granted for a period of five (5) years. The Board Members in favor were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. Ronald McCabe, Mr. John Mills, and Mr. Brent Workman. No Members of the Board voted in opposition to the Application.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY


Dale Callaway
Chairman

If the use is not established within one (1) year from the date below the application becomes void.

Date March 22, 2012.