

**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: BEACH BABIES CHILD CARE (Case No. 10927)**

A hearing was held after due notice on January 23, 2012. The Board members present were: Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception to operate a daycare facility.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to operate a daycare facility on certain real property located on the southwest corner of Route 1 (Coastal Highway) and Best Lane; said property being identified as Sussex County Tax Map Parcel Number 2-35-23.00-53.04. After a hearing, the Board made the following findings of fact:

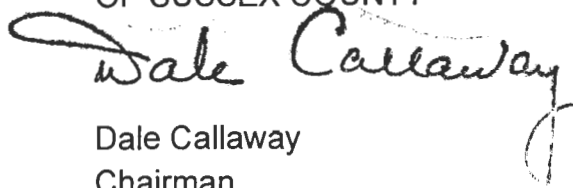
1. Debra Toner, Thomas Toner, and Freddie Lyle were present to testify about the Application on behalf of the Applicant.
2. The Applicant testified that the proposed facility will be a center for children ages 5 to 12 to use before and after school and that this facility will enable the Applicant to separate the older children from the existing daycare serving younger children on the Property.
3. The existing daycare has been in operation for years and is surrounded by commercial property.
4. The proposed facility will be approximately 2,500 square feet with an exterior to match the exterior of the current facility.
5. The proposed facility will be open from 6:30 a.m. to 8:30 a.m. and 2:30 p.m. to 6:00 p.m. Monday through Friday.
6. No persons appeared in opposition to the Application.
7. Two (2) persons appeared in support of the Application.
8. 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 because the use does not substantially affect adversely the uses of adjacent or neighboring properties.

The Board granted the special use exception application 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. The Board Members in favor were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman. No Board Members voted against the Application.

BOARD OF ADJUSTMENT  
OF SUSSEX COUNTY

  
Dale Callaway  
Chairman