

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

**IN RE: MICHAEL O. WATSON (Case No. 10940)**

A hearing was held after due notice on February 20, 2012. The Board members present were: Mr. Jeff Hudson, Mr. Norman Rickard, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception for a garage / studio apartment and a variance from the maximum square feet of total floor area.

Findings of Fact

The Board found that the Applicant was seeking a special use exception for a special use exception for a garage / studio apartment on certain real property located west of Road 274 (Old Landing Road), 277 feet south of Road 275 (Warrington Road); said property being identified as Sussex County Tax Map Parcel Number 3-34-12.00-121.02. After a hearing, the Board made the following findings of fact:

1. Michael Watson was present to testify about the Application on behalf of the Applicant.
2. The Board found that the Applicant sought to use space above his garage for a studio apartment to be rented out.
3. The Board found that the Applicant testified that the square footage of the apartment was 757 square feet and that a variance was not needed. The Applicant testified that the square footage of the apartment is smaller than the garage due to the Cape Cod design of the building which renders the second floor smaller than the first floor.
4. The Board found that the proposed apartment will be located above the Applicant's three (3) car garage and will contain one bedroom, one bathroom, one utility room, and a living room / kitchen.
5. The Board found that the apartment will have separate utilities.
6. The Board found that the Property has three (3) parking spaces.
7. The Board found that a bed & breakfast operates on the neighboring property.
8. No parties appeared in opposition to the Application.
9. Three (3) persons appeared in support of the Application.
10. 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. Jeff Hudson, Mr. Norman Rickard, and Mr. Brent Workman. No Board Members voted against 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