

## BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

### IN RE: TANYA GIBBS (Case No. 10965)

A hearing was held after due notice on April 16, 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 east of Road 285 (Beaver Dam Road) approximately 2,500 feet south of Road 287 (Kendale Road); said property being identified as Sussex County Tax Map Parcel Number 2-34-6.00-13.00. After a hearing, the Board made the following findings of fact:

1. Tanya Gibbs was present to testify on behalf of the Application.
2. The Board found that the Applicant testified that she has run a small daycare for eight (8) years and that she has run a daycare for the past five (5) from the Property.
3. The Board found that the Applicant testified that she wants to increase the number of children served at the daycare from nine (9) children to twelve (12) children.
4. The Board found that the Applicant testified that she is the primary income producer in her household and her family need the additional income since her husband is out of work currently.
5. The Board found that the Applicant testified that there is another daycare facility in the neighborhood.
6. The Board found that the Applicant testified that there is adequate parking on the Property and that no changes to her residence are needed to accommodate the increase in children.
7. The Board found that the Applicant testified that, if the Application is approved, she would be able to hire staff to help supervise the children.
8. The Board found that the Applicant testified that the children range in ages from infant to twelve (12) years of age.
9. The Board found that no one appeared in opposition of the Application.
10. The Board found that two (2) persons appeared in support of 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 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

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

Date May 8, 2012