

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: BAYVILLE SHORE ASSOCIATES, LLC (Case No. 10981)

A hearing was held after due notice on May 21, 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 retain 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 retain a temporary manufactured home type structure for a sales office on certain real property located northeast of Route 54 (Lighthouse Road) approximately 653 feet east of Route 58B (Bayville Road); said property being identified as Sussex County Tax Map Parcel Number 5-33-19.00-24.00. After a hearing, the Board made the following findings of fact:

1. Michael Cicada was present to testify on behalf of the Application.
2. The Board found that the Applicant testified that the unit has been on the Property for a total of seven (7) years and has been used as a sales office.
3. The Board found that the Applicant testified that they want to extend the use for a two (2) year period.
4. The Board found that the Applicant testified that the project is 90% complete and he believes that the extension will provide enough time to the Applicant to complete the sales of the remaining lots in the development.
5. The Board found that the Applicant testified that the current road construction on Route 54 has had an adverse affect to the project thereby necessitating the need for additional time for the use.
6. The Board found that no one appeared in opposition of or in support of the Application.
7. 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 June 19, 2012