

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: WEST REHOBOTH COMMUNITY LAND TRUST, INC. (Case No. 10999)

A hearing was held after due notice on July 2, 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 for a garage / studio apartment.

Findings of Fact

The Board found that the Applicants were seeking a special use exception for a garage / studio apartment on certain real property located northwest of Hebron Road (Road 273) and being northwest of Norwood Street, 225 feet northeast of Burton Avenue and being Lot 47 and ½ Lot 46 in West Rehoboth Subdivision; said property being identified as Sussex County Tax Map Parcel Number 3-34-13.19-40.00. After a hearing, the Board made the following findings of fact:

1. Beth Doughty, President of the West Rehoboth Community Land Trust, Inc. and Mark Schaeffer, member of the Board of Directors of the West Rehoboth Community Land Trust, Inc. were sworn in and were present.
2. Heidi Gilmore, Esquire, presented the case to the Board.
3. The Board found that Mrs. Gilmore stated that the Applicant is requesting a special use exception for a garage / studio apartment and that the Applicant is hoping to create additional low income housing to the area.
4. The Board found that Mrs. Gilmore stated that the proposed garage apartment will be 792 square-feet in size and will meet all setback requirements.
5. The Board found that Mrs. Gilmore stated that the existing cottage will remain in place and that there will be adequate parking on the Property to service both the cottage and the apartment.
6. The Board found that Mrs. Gilmore stated that the use will provide housing for up to two (2) families.
7. The Board found that Mrs. Gilmore stated that the neighborhood supports the Application and that the proposed use will not substantially affect adversely the uses of the adjacent and neighboring properties.
8. The Board found that Ms. Doughty, under oath, affirmed Mrs. Gilmore's presentation and testified that the design is compatible with others in the neighborhood.
9. The Board found that Mr. Schaeffer testified that he has been a real estate agent for thirty (30) years, that he is a former land appraiser, and that he believes that the proposed use will enhance property values in West Rehoboth.
10. The Board found that no one appeared in opposition to the Application.
11. The Board found that seven (7) people appeared in support of the Application.
12. 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 August 7, 2012.