

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: CAPE HENLOPEN SCHOOL DISTRICT (Case No. 11008)

A hearing was held after due notice on July 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 for placement of two manufactured home-type structures for use as classrooms for a period of five (5) years.

Findings of Fact

The Board found that the Applicant was seeking a special use exception for placement of two (2) manufactured home-type structures for use as a classrooms for a period of five (5) years on certain real property located east of Route 24 (John J. Williams Highway); said property being identified as Sussex County Tax Map Parcel Number 2-34-12.00-107.00. After a hearing, the Board made the following findings of fact:

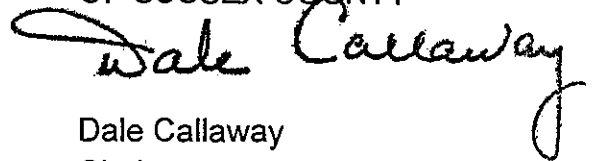
1. Brian Bassett, Director of Administrative Services for the Applicant, was sworn in and present to testify about the Application.
2. The Board found that Mr. Bassett testified that the Applicant is requesting a special use exception to place two (2) manufactured home type structures for classrooms.
3. The Board found that Mr. Bassett testified that the school was built in 2003 and that the school has reached its capacity.
4. The Board found that Mr. Bassett testified that Cape Henlopen School District is the fastest growing district in the State.
5. The Board found that Mr. Bassett testified that all available space within the school has been converted to classrooms.
6. The Board found that Mr. Bassett testified that the enrollment for last year and the upcoming school year has increased significantly.
7. The Board found that Mr. Bassett testified that the units are for temporary use and that the school will be able to fill at least one (1) unit with the enrollment of students this fall.
8. The Board found that Mr. Bassett testified that additional classrooms cannot be built until a planned referendum is approved.
9. The Board found that Mr. Bassett testified that the five (5) year term for use of these units will allow the Applicant time to pass the referendum and build the school.
10. The Board found that Mr. Bassett testified that the proposed units will be placed near the existing units.
11. The Board found that Mr. Bassett testified that the units cannot be seen from the highway.
12. The Board found that Mr. Bassett testified that the model year of the units is unknown but that the Applicant has requested the newest units available.
13. The Board found that no one appeared in opposition to or in support of the Application.
14. 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.