

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: W. RALPH BRUMBLEY (Case No. 11009)

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 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 northeast of Route 1 (Coastal Highway) east of Dave's Shortcut Road; said property being identified as Sussex County Tax Map Parcel Number 2-35-7.00-44.00. After a hearing, the Board made the following findings of fact:

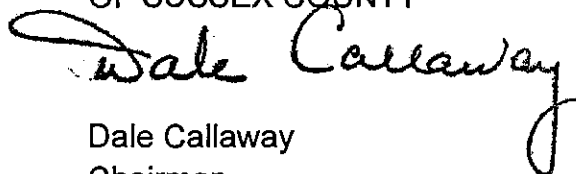
1. W. Ralph Brumbley was sworn in and present to testify about the Application.
2. The Board found that the Applicant testified that the Property has had previous approval for a daycare facility.
3. The Board found that the Applicant testified that the daycare facility existed from 1999 to 2009.
4. The Board found that the Applicant testified that he has found a new tenant for the Property.
5. The Board found that the Applicant testified that the facility will care for approximately 25 children.
6. The Board found that the Applicant testified that the hours of operation will be from 8:00 a.m. to 8:00 p.m., Monday through Saturday.
7. The Board found that the Applicant testified that there is adequate parking available.
8. The Board found that the Applicant testified that the facility will meet all State requirements.
9. The Board found that the Applicant testified that he owns the adjacent properties.
10. The Board found that no one appeared in opposition to or 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 August 7, 2012.