

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: TERESA McTERNAN (Case No. 11030)

A hearing was held after due notice on August 20, 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 west of Road 455 (Brittingham Road) approximately 527 feet north of Route 54 (Line Road); said property being identified as Sussex County Tax Map Parcel Number 5-32-22.00-26.01. After a hearing, the Board made the following findings of fact:

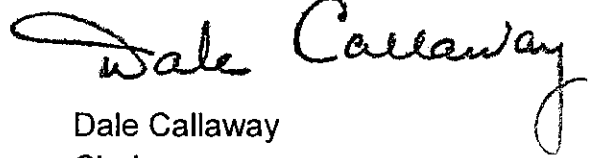
1. Teresa McTernan and John McTernan were sworn in and present to testify about the Application.
2. The Board found that Ms. McTernan testified that she was licensed for a home daycare in June 2012 and that she is requesting a special use exception to expand from a Level 1 daycare to a Level 2 daycare.
3. The Board found that Ms. McTernan testified that she currently provides care for five (5) children.
4. The Board found that Ms. McTernan testified that, if approved for a Level 2 daycare, she will care for six (6) pre-school aged children and three (3) school aged children.
5. The Board found that Ms. McTernan testified that her hours of operation will be Monday through Friday from 7:00 a.m. to 5:30 p.m.
6. The Board found that Ms. McTernan testified that she was also licensed for a Level 2 daycare from 1988 to 1993.
7. The Board found that Ms. McTernan testified that she operated a daycare for sixteen (16) years at another location.
8. The Board found that Ms. McTernan testified that there is adequate parking on the Property.
9. The Board found that Ms. McTernan testified that the play area is to the rear of the Property.
10. The Board found that Ms. McTernan testified that her family owns the adjacent properties.
11. The Board found that no one appeared in opposition to the Application.
12. The Board found that one person appeared in support of the Application.
13. 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 September 11, 2012.