

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY
IN RE: BAYSIDE HOMES C/O RYAN CLASS (Case No. 11098)

A hearing was held after due notice on November 19, 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 build a dwelling in a mobile home park.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to build a dwelling in a mobile home park. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property located west of Route 1 (Coastal Highway) south of South Shore Drive Ext. off of South Inlet Road, being Lot 51 within Rock Turn a mobile home park; said property being identified as Sussex County Tax Map Parcel Number 1-34-2.00-4.00-Park. After a hearing, the Board made the following findings of fact:

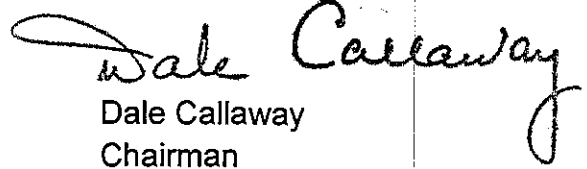
1. Steve Class was sworn in and testified on behalf of the Application.
2. The Board found that Mr. Class submitted a packet of exhibits to the Board.
3. The Board found that Mr. Class testified that the proposed dwelling will be a modular home.
4. The Board found that Mr. Class testified that the dwelling will be placed on pilings.
5. The Board found that Mr. Class testified that the dwelling will meet all Sussex County Building Code and Flood Zone Elevation requirements.
6. The Board found that Mr. Class testified that Lots 49 and 51 are being combined into one (1) lot.
7. The Board found that Mr. Class testified that there are other modular in the park approved by the Board.
8. The Board found that Mr. Class testified that the lot is currently vacant.
9. The Board found that Mr. Class testified that the park owner has no objection to the Application.
10. The Board found that Gail Payne was sworn in and testified as to the Application and testified that she lives in the adjacent development.
11. The Board found that Ms. Payne had some questions about the Application.
12. The Board found that Ms. Payne testified that she has no objection to the Application after her questions were answered.
13. The Board found that one (1) party appeared in support of the Application.
14. The Board found that one (1) party appeared in opposition to the Application.
15. The Board found that the Office of Planning & Zoning received one (1) letter in support of the Application.
16. Based on the findings above and the testimony presented at the public hearing and the public record, the Board determined that the Application met the standards for granting a special use exception and approved the proposed use. The proposed use does not substantially affect adversely the uses of the adjacent and neighboring properties.

The Board approved 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 approved. The Board Members voting to approve the Application were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman. No Member voted against the Motion to Approve 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 December 11, 2012