

**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: DONALD K. MILLER (Case No. 11114)**

A hearing was held after due notice on December 10, 2012. The Board members present were: 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 retain a doublewide manufactured home on a parcel of less than five (5) acres.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to retain a doublewide manufactured home on a parcel of less than five (5) acres. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property located west of Road 410 (Revel Road) approximately 535 feet south of Road 328A (Godwin School Road); said property being identified as Sussex County Tax Map Parcel Number 1-33-16.00-81.00. After a hearing, the Board made the following findings of fact:

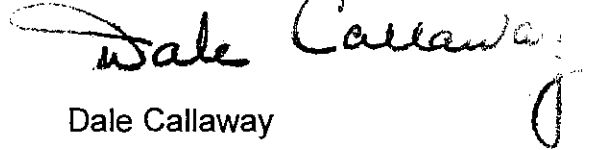
1. Donald Miller and Marjorie Fisher were sworn in to testify on behalf of the Application.
2. Shannon Carmean, Esquire, presented the Application to the Board.
3. The Board found that Mr. Miller testified that the Applicant wishes to subdivide the Property at a later date and retain the existing manufactured dwelling located on the Property.
4. The Board found that Mr. Miller testified that, in 1979, the Zoning Ordinance required a double-wide to be placed on a parcel not less than five (5) acres.
5. The Board found that Mr. Miller testified that the proposed lot will be over one (1) acre and that the current Zoning Ordinance permits double-wide manufactured homes on a minimum of  $\frac{3}{4}$  acre parcel.
6. The Board found that Mr. Miller testified that there is no detriment to the public welfare and that the use will not substantially affect adversely the uses of adjacent and neighboring properties.
7. The Board found that Mr. Miller testified that there are residential lots nearby.
8. The Board found that the Applicant submitted to the Board a petition in support of the Application with thirteen (13) signatures.
9. The Board found that one (1) party appeared in support of the Application.
10. The Board found that no parties appeared in opposition to the Application.
11. 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. 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 January 8, 2013