

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

**IN RE: PROMISE MINISTRIES, PASTOR ANDRE ALEXANDER**

**(Case No. 11117)**

A hearing was held after due notice on December 17, 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 special use exceptions to use the Property for Promise House I transitional housing for homeless individuals/unwed mothers and Promise House II transitional housing for homeless individuals/families in crisis and to operate a daycare center for Little Promise Children child care.

Findings of Fact

The Board found that the Applicant was seeking special use exception to use the Property for Promise House I transitional housing for homeless individuals/unwed mothers and Promise House II transitional housing for homeless individuals/families in crisis and to operate a daycare center for Little Promise Children child care on certain real property located south of Road 545 (Rifle Range Road) approximately 3,500 feet west of Road 594 (Oak Road); said property being identified as Sussex County Tax Map Parcel Number 1-31-15.00-60.00. After a hearing, the Board made the following findings of fact:

1. Pastor Andre Alexander was sworn in to testify on behalf of the Application.
2. David Hutt, Esquire, presented the Application to the Board.
3. The Board found that Mr. Hutt stated that the Property consists of 45 acres which is leased by the Applicant and that the Property is surrounded by a large wooded area and cannot be seen from the road.
4. The Board found that Mr. Hutt stated that the Property was once used for Cedars Academy as a boarding school for children and that, in 2008, Cedars Academy consolidated with another facility and no longer uses this Property.
5. The Board found that Mr. Hutt stated that the conditional use for the school lapsed due to non-use.
6. The Board found that Mr. Hutt stated that the Applicant opened a daycare on the Property but was contacted by the State that the Applicant was not approved for this use and the Applicant immediately closed the daycare.
7. The Board found that Mr. Hutt stated that the existing buildings will be used for the daycare and transitional housing for homeless families and unwed mothers.
8. The Board found that Mr. Hutt stated that the Applicant went through the process with the state to obtain approvals for a day care and transitional housing.
9. The Board found that Mr. Hutt stated that the Applicant is awaiting final approval from the Fire Marshal and water testing, which approvals the Applicant expects soon.
10. The Board found that Mr. Hutt stated that the Applicant receives approximately one hundred (100) requests a month for this type of housing.
11. The Board found that Mr. Hutt stated that the transitional housing occupants and employees undergo a background check prior to approval.
12. The Board found that Mr. Hutt stated that the occupants may stay on site for ninety (90) days or up to one (1) year.
13. The Board found that Mr. Hutt stated that local businesses donate furniture and other items needed to assist the families and unwed mothers.

14. The Board found that Mr. Hutt stated that Promise House 1 will provide housing for unwed mothers and can accommodate up to eight (8) unwed mothers at a time.
15. The Board found that Mr. Hutt stated that Promise House 2 will provide housing for families and accommodate up to five (5) families at a time.
16. The Board found that Mr. Hutt stated that there is an increased need for this type of housing in the area.
17. The Board found that Mr. Hutt stated that the surrounding woods largely hide the buildings on the Property from neighboring and adjacent properties.
18. The Board found that Mr. Hutt stated that the uses will not substantially affect adversely the uses of the adjacent and neighboring properties.
19. The Board found that Mr. Hutt submitted to the Board exhibits including pictures and a petition of support from the Applicant's neighbors.
20. The Board found that Mr. Alexander, under oath, confirmed the statements by Mr. Hutt.
21. The Board found that Mr. Alexander testified that the daycare will care for approximately thirty (30) children between the ages of infant to five (5) years old and that the hours of operation for the daycare will be Monday through Friday, from 6:00 a.m. to 6:00 p.m.
22. The Board found that Mr. Alexander testified that the daycare can employ up to fifteen (15) adults.
23. The Board found that Mr. Alexander testified that there will be two (2) managers at each transitional house.
24. The Board found that Mr. Alexander testified that the families will share common areas and that older children will be offered their own room.
25. The Board found that Mr. Alexander testified that the Applicant expects approximately 50-75 people on site during the day and approximately 20-25 people on site in the evening.
26. The Board found that Mr. Alexander testified that there will be a nurse on staff at all times.
27. The Board found that Mr. Alexander testified that the Applicant holds church services on Saturday and Sunday on the Property.
28. The Board found that Mr. Alexander testified that there is adequate parking on the site for all activities as up to 100 cars can park on site.
29. The Board found that Mr. Alexander testified that the Applicant hopes to use the church as an after school site for children as well.
30. The Board found that four (4) parties appeared in support of the Application.
31. The Board found that no parties appeared in opposition to the Application.
32. The Board found that the Office of Planning & Zoning received five (5) letters in support of the Application and a petition with twenty (20) signatures in support of the Application.
33. The Board found that the Office of Planning & Zoning received one (1) letter in opposition to the Application.
34. 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 uses do 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 January 29, 2013