

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

**IN RE: LINDSAY CANNON / LITTLE EINSTEINS PRESCHOOL**

**(Case No. 11163)**

A hearing was held after due notice on February 18, 2013. 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 center.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to operate a daycare center. This application pertains to certain real property located northeast of Route 113 (DuPont Boulevard) 900 feet southeast of Betts Pond Road; said property being identified as Sussex County Tax Map Parcel Number 1-33-16.00-69.00. After a hearing, the Board made the following findings of fact:


1. Lindsay Cannon was sworn in to testify on behalf of the Application.
2. The Board found that Ms. Cannon testified that she currently has a daycare in the Georgetown area and cares for twenty-eight (28) children at that location.
3. The Board found that Ms. Cannon testified that the Georgetown daycare opened in 2008 with only twelve (12) children and has expanded since then.
4. The Board found that Ms. Cannon testified that the proposed Millsboro center will allow her to care for more children.
5. The Board found that Ms. Cannon testified that she currently has to turn families away.
6. The Board found that Ms. Cannon testified that the Property is zoned Commercial.
7. The Board found that Ms. Cannon testified that she will have five (5) additional employees and care for approximately thirty (30) additional children from ages two (2) to five (5).
8. The Board found that Ms. Cannon testified that her hours of operation will be Monday through Friday from 7:00 a.m. to 5:00 p.m.
9. The Board found that Ms. Cannon testified that there is adequate parking available as there are approximately thirty (30) parking spaces.
10. The Board found that Ms. Cannon testified that her business occupies two (2) units in a five (5) unit commercial building.
11. The Board found that Ms. Cannon testified that she has all of her State agency approvals.
12. The Board found that Ms. Cannon testified that the neighboring properties are commercial properties and that the use will not adversely affect the surrounding properties.
13. The Board found that no parties appeared in support of or in opposition to the Application.
14. 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 special use exception 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 Motion to approve the special use exception 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 March 19, 2013