

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: CHRISTIAN WILLEY AND BARBARA WILLEY

(Case No. 11177)

A hearing was held after due notice on March 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 retain a manufactured home type structure for office use and storage.

Findings of Fact

The Board found that the Applicants were seeking a special use exception to retain a manufactured home type structure for office use and storage. This application pertains to certain real property located south of Route 620 (Abbotts Pond Road) approximately 1,139 feet east of Route 36 (Shawnee Road); said property being identified as Sussex County Tax Map Parcel Number 1-30-5.00-79.00. After a hearing, the Board made the following findings of fact:


1. Christian Willey and Barbara Willey were sworn in to testify on behalf of the Application.
2. The Board found that Christian Willey testified that the Board approved the special use on July 7, 2003.
3. The Board found that Christian Willey testified that the Applicants were unaware the approval expired in 2008 and that the Applicants were not aware they had to re-apply to the Board.
4. The Board found that Christian Willey testified that he hoped to be retired by now but he is still using the unit for his office and storage for his electrician and firearms businesses.
5. The Board found that Christian Willey testified that the Property is now 3.5 acres larger and that the structure has a steel roof.
6. The Board found that Christian Willey testified that nothing has changed since the last approval.
7. The Board found that Christian Willey testified that he is aware the approval is temporary and will have to re-apply in five years if approved.
8. The Board found that no parties appeared in support of or in opposition to the Application.
9. 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 for a period of five (5) years 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 for a period of five (5) years. 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 April 16, 2013