

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

**IN RE: SUSSEX TREE, INC.**

**(Case No. 11180)**

A hearing was held after due notice on April 1, 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 as a sales office for a period of five (5) years.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to retain a manufactured home type structure as a sales office for a period of five (5) years. This application pertains to certain real property located north of Route 24 (John J. Williams Highway) west of Route 1 (Coastal Highway); said property being identified as Sussex County Tax Map Parcel Number 3-34-18.00-40.03. After a hearing, the Board made the following findings of fact:

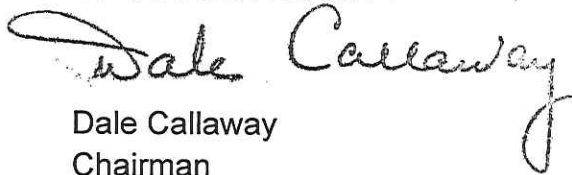
1. Jeff Meredith and Mary Meredith were sworn in to testify on behalf of the Application.
2. The Board found that Mr. Meredith testified that the Applicant purchased the Property four (4) years ago.
3. The Board found that Mr. Meredith testified that the unit was on the Property at that time and that he uses the unit as a small sales office for Sussex Tree and a landscaping business.
4. The Board found that Mr. Meredith testified that the prior owner used the Property as a produce area and a mulch and stone depot.
5. The Board found that Mr. Meredith testified that he was unaware the use had expired until he received a letter from the Planning & Zoning office advising him to re-apply for a special use exception.
6. The Board found that Mr. Meredith testified that he does not plan to build a permanent structure within the next five (5) years and that he plans to build a storage building first.
7. The Board found that Mr. Meredith testified that his office staff works in the unit.
8. The Board found that Mr. Meredith testified that the unit was new when placed on the Property approximately six (6) years ago and is in good shape.
9. The Board found that no parties appeared in support of or in opposition to the Application.
10. 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 use does not substantially affect adversely the uses of adjacent or neighboring properties. The manufactured home type structure has been on the Property for some time without adverse affect to the neighborhood.

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 May 7, 2013.