

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

**IN RE: THOMAS C. STAZ**

**(Case No. 11194)**

A hearing was held after due notice on April 15, 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 for a garage / studio apartment.

Findings of Fact

The Board found that the Applicant was seeking a special use exception for a garage / studio apartment. This application pertains to certain real property located south of Road 306A (Friendship Road) south of Congress Drive, being Lot 112 within Holiday Pines; said property being identified as Sussex County Tax Map Parcel Number 2-34-23.00-388.00. After a hearing, the Board made the following findings of fact:

1. Thomas Staz sworn in to testify about the Application.
2. The Board found that the Office of Planning & Zoning received no letters regarding to the Application.
3. The Board found that Mr. Staz testified that the manufactured home and small apartment existed on the Property when he purchased it.
4. The Board found that Mr. Staz testified that the building behind the manufactured home contains a small efficiency apartment with a separate entrance and bathroom.
5. The Board found that Mr. Staz testified that the existing apartment measures 15 feet by 15 feet.
6. The Board found that Mr. Staz testified that the existing septic system is approved for three (3) bedrooms, the manufactured home has two (2) bedrooms and the apartment has one (1) bedroom.
7. The Board found that Mr. Staz testified that the apartment has separate utilities.
8. The Board found that Mr. Staz testified that there is a parking spot provided for the apartment.
9. The Board found that Mr. Staz testified that he plans to use the apartment as a rental.
10. The Board found that Mr. Staz testified that the use will not substantially adversely affect the neighborhood.
11. The Board found that Mr. Staz testified that the Property is located in a manufactured home community where some of the manufactured homes have been replaced by stick built dwellings.
12. The Board found that Mr. Staz testified that the lot is 75 feet wide and 135 feet deep.
13. The Board found that Mr. Staz testified that an adjacent lot is unbuildable due to the location of a drainage ditch.
14. The Board found that the Applicant submitted pictures and exhibits to the Board
15. The Board found that no parties appeared in support of or in opposition to the Application.
16. 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 apartment has been on the

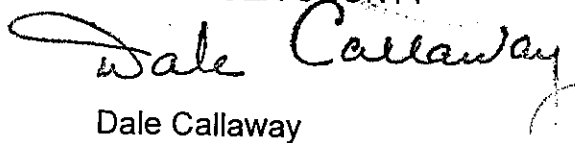
Property for quite some time and there was no evidence that the apartment had any adverse effect on neighboring and adjacent properties.

The Board granted the special use exception application finding that it met the standard for granting a special use exception.

Decision of the Board

Upon motion duly made and seconded, the special use exception application was approved. 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 21, 2013