

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

**IN RE: MARY SHARMA**

**(Case No. 11218)**

A hearing was held after due notice on June 17, 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 have a tourist home.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to have a tourist home. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property located northeast of Locust Street 425 feet northwest of Poplar Street and being approximately 650 feet southwest of Route 13A and Route 78 intersection said property being identified as Sussex County Tax Map Parcel Number 2-32-12.18-21.00. After a hearing, the Board made the following findings of fact:

1. Mary Sharma and Amar Sharma were sworn in to testify about the Application.
2. The Board found that Mr. Sharma testified that the Applicants purchased the Property two (2) years ago.
3. The Board found that Mr. Sharma testified that the dwelling is approximately 6,500 square feet and is a large home.
4. The Board found that Mr. Sharma testified that the dwelling was vacant last year and was burglarized
5. The Board found that Mr. Sharma testified that prior to renting rooms the dwelling was vacant most of the time.
6. The Board found that Mr. Sharma submitted pictures of the Property to the Board.
7. The Board found that Mr. Sharma testified that there are six (6) parking spaces available for the tenants.
8. The Board found that Mrs. Sharma testified that there is parking in a garage as well.
9. The Board found that Mrs. Sharma testified that there are four (4) full bathrooms and that the kitchen, laundry room, exercise room, den, and living room will be shared.
10. The Board found that Mrs. Sharma testified that the Applicants will move into the dwelling after they retire.
11. The Board found that Mrs. Sharma testified that the Applicants stay in the dwelling on weekends.
12. The Board found that Mrs. Sharma testified that the Applicants are aware that they cannot put separate cooking facilities in dwelling.
13. The Board found that Mr. Sharma testified that the Applicants have been renting rooms for approximately one (1) year.
14. The Board found that Mr. Sharma testified that they currently have two (2) tenants and that they plan to rent six (6) rooms.
15. The Board found that Mr. Sharma testified that the rentals will be a month-to-month basis but the current tenants have lived in the home for one (1) year.
16. The Board found that Mr. Sharma testified that they were not aware the use was not permitted until they were notified by the Planning and Zoning Office.

17. The Board found that Mr. Sharma testified that cooking facilities will only be allowed in the kitchen.
18. The Board found that two (2) parties appeared in support of the Application.
19. The Board found that no parties appeared in opposition to the Application.
20. Based on the findings above and the testimony presented at the public hearing and the public record, the Board determined that the Application met the standards for granting a special use exception because the proposed use does not substantially affect adversely the uses of neighboring and adjacent properties. The Board granted the use for a period of five (5) years.

The Board approved 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 Application was approved for a period of five (5) years. The Board Members voting to approve the Application were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard and Mr. Brent Workman. No Member voted against the Motion to Approve 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 July 16, 2013.