

## BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

### IN RE: SARA ABSHER

(Case No. 11247)

A hearing was held after due notice on August 5, 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 place a multi-sectional home that is more than five (5) years old.

#### Findings of Fact

The Board found that the Applicant was seeking a special use exception to place a multi-sectional home that is more than five (5) years old. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property south of Route 31 (Dublin Hill Road) west of Road 563 (Ray Road); said property being identified as Sussex County Tax Map Parcel Number 1-31-9.00-20.00. After a hearing, the Board made the following findings of fact:

1. Jon Absher and Sara Absher were sworn in to testify on behalf of the Application.
2. The Board found that Mrs. Absher testified that the Applicant is requesting a special use exception to permit a 1998 manufactured home, measuring twenty eight (28) feet by seventy (70) feet for placement on this lot.
3. The Board found that Mrs. Absher testified that there will be no change in the character of the neighborhood since the area is improved by similar modular and manufactured homes.
4. The Board found that Mr. Absher testified that the Applicant lives in a mobile home park and now plans on improving the Property.
5. The Board found that Mr. Absher testified that the Property is fourteen (14) acres.
6. The Board found that Mr. Absher testified that he plans to move his mother to the Property so that he can look after her.
7. The Board found that Mrs. Absher testified that the Property has been abandoned for over ten (10) years.
8. The Board found that Mrs. Absher testified that no other homes currently exist on the Property.
9. The Board found that Mrs. Absher testified that they are providing photographs of modular homes and manufactured homes, singlewide and doublewide, in the area so that the Board can see that they are proposing a similar unit to those that already exists in the area.
10. The Board found that Mr. Absher submitted eighteen (18) photographs for review
11. The Board found that there were no parties present in support of or in opposition to this Application.
12. The Board voted to leave the record open so that the Applicant could provide photographs of the proposed unit to be placed on the Property.
13. After the hearing, the Applicant submitted three (3) photographs of the proposed unit to the Office of Planning & Zoning and the Board reviewed those photographs at its meeting on September 9, 2013.
14. 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 did not substantially affect adversely the uses of neighboring and adjacent properties.

The Board approved 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 Application was approved. 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.

A placement permit must be obtained before  
The manufactured home is placed on the property.

Date October 22, 2013