

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY
IN RE: CONCRETE BUILDING SYSTEMS OF DELAWARE, INC
(Case No. 11293)

A hearing was held after due notice on November 4, 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 to retain a manufactured home type structure as an office.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to retain a manufactured home type structure as an office. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property located north of Road 502 (Racetrack Road) ¼ mile west of Route 13A (Bi-State Boulevard); said property being identified as Sussex County Tax Map Parcel Number 3-34-20.13-45.01. After a hearing, the Board made the following findings of fact:

1. Todd Stevens was sworn in to testify about the Application.
2. The Board found that Mr. Stevens testified that he is the President of Concrete Building Systems of Delaware.
3. The Board found that Mr. Stevens testified that the Applicant is a pre-cast concrete business that has operated at this site since 1981.
4. The Board found that Mr. Stevens testified that he purchased the business in 2007 and has made significant investment into the Property since that time.
5. The Board found that Mr. Stevens testified that the previous owner was approved for a special use exception that expired in 2000.
6. The Board found that Mr. Stevens testified that he was not aware of the need for a special use exception.
7. The Board found that Mr. Stevens testified that he replaced the previous unit one (1) year ago and that the current unit measures forty two (42) feet by sixty four (64) feet.
8. The Board found that Mr. Stevens testified that he has made major improvements to the site since 2007.
9. The Board found that Mr. Stevens testified that he added a second business to the site in February 2013.
10. The Board found that Mr. Stevens testified that he plans to use the unit for at least the next five (5) years.
11. The Board found that Mr. Stevens testified that the neighbors support the Application.
12. The Board found that Mr. Stevens testified that Melody Booker of the Delaware Department of Economic Development Office visited the site and has submitted a letter of support.
13. The Board found that Mr. Stevens testified that the Property is zoned Heavy Industrial.
14. The Board found that Mr. Stevens testified that the prior facility on the Property failed.
15. The Board found that no parties appeared in support of or in opposition to the Application.

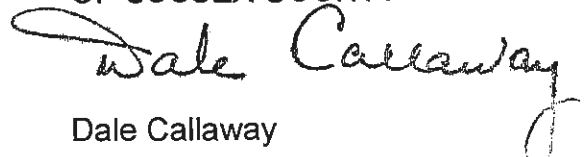
16. Based on the findings above and the testimony presented at the public hearing and the public record, the Board determined that the Application met the standards for granting a special use exception based on the following reasons. The proposed use does not substantially affect adversely the uses of neighboring and adjacent properties and the Property is zoned Heavy Industrial. The special use exception was granted 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.

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

Date December 10, 2013