

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: BOYS & GIRLS CLUB OF DELAWARE

(Case No. 11307)

A hearing was held after due notice on December 16, 2013. The Board members present were: Mr. Dale Callaway, Mr. Jeffrey 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 operate a daycare facility.

Findings of Fact

The Board found that the Applicant was requesting a special use exception for a daycare facility. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property located 225 feet northeast of Road 297 (Oak Orchard Road) on the southeast side of Cedar Street; said property being identified as Sussex County Tax Map Parcel Number 2-34-34.08-52.00. After a hearing, the Board made the following findings of fact:

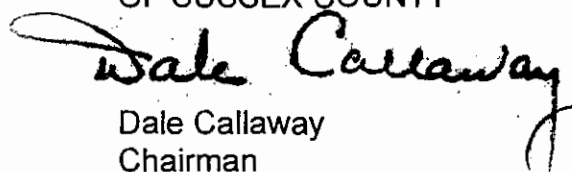
1. The Board found that the Office of Planning & Zoning received no correspondence regarding the Application.
2. Mildred Charnick was sworn in to testify on behalf of the Applicant.
3. The Board found that Ms. Charnick testified that the proposed daycare facility will be located in the Oak Orchard Community Center.
4. The Board found that Ms. Charnick testified that the children served will be ages four (4) and five (5) years old.
5. The Board found that Ms. Charnick testified that the Applicant will go through the proper licensing process from the Fire Marshal and child licensing offices.
6. The Board found that Ms. Charnick testified that the Applicant previously cared for sixty-seven (67) children at the site.
7. The Board found that Ms. Charnick testified that the Applicant will care for a maximum of twenty (20) children.
8. The Board found that Ms. Charnick testified that the hours of operation will be Monday through Friday from 6:30 a.m. to 6:00 p.m.
9. The Board found that Ms. Charnick testified that, from 2001 to 2005, the Applicant used this same location to care for children ranging in ages six (6) to fourteen (14) years old.
10. The Board found that Ms. Charnick testified that there is adequate parking.
11. The Board found that Ms. Charnick testified that the neighboring volunteer fire company allows the Applicant to use its playground.
12. The Board found that Ms. Charnick testified that the use does not substantially adversely affect the uses of neighboring or adjacent properties.
13. The Board found that no parties appeared in support of or in opposition to the Application.
14. Based on 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 with 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. Jeffrey 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 February 18, 2014