

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: HENLOPEN HOMES, INC.

(Case No. 11334)

A hearing was held after due notice on February 3, 2014. The Board members present were: Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Brent Workman and Mr. Norman Rickard.

Nature of the Proceedings

This is an application for a special use exception to replace a nonconforming multi-sectional manufactured home.

Findings of Fact

The Board found that the Applicant was seeking a special use exception replace a nonconforming multi-sectional manufactured home. This application pertains to certain real property located southeast of Road 619 (Old Shawnee Road) 1,157 feet south of Road 619A (Bontrager Road) said property being identified as Sussex County Tax Map Parcel Number 1-30-3.00-175.00. After a hearing, the Board made the following findings of fact:

1. Kelly Collins was sworn in to testify on behalf of the Application.
2. The Board found that Ms. Collins testified that the special use exception was first approved in 2011 and that she was not aware the approval had an expired.
3. The Board found that Ms. Collins testified that this Application is identical to the request previously approved.
4. The Board found that Ms. Collins testified that a single-wide manufactured home was on the Property when she purchased it and that the single-wide has been demolished.
5. The Board found that Ms. Collins testified that she now has a buyer for the Property and plans to place a 2011 double-wide manufactured home on the Property.
6. The Board found that Ms. Collins testified that the use will not substantially affect adversely the uses of the adjacent and surrounding properties.
7. The Board found that Ms. Collins testified that a business, which has tractor trailers thereon, and a brick ranch house are located on the adjacent properties.
8. The Board found that Ms. Collins submitted pictures of the neighborhood to the Board for review.
9. The Board found that no parties appeared in support of or in opposition to the Application.
10. 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 use does not substantially affect adversely the uses of adjacent or neighboring properties. The special use exception has also previously been approved by the Board.

The Board granted 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 special use exception application was approved. The Board Members in favor of the Motion to Approve the Application 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.

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

Date March 25, 2014