

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: DAVID DECRISTO AND AMY DECRISTO

(Case No. 11377)

A hearing was held after due notice on April 21, 2014. 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 for a dwelling in a mobile home park.

Findings of Fact

The Board found that the Applicants were seeking a special use exception for a dwelling in a mobile home park. This application pertains to certain real property located 0.5 mile west of Route 1 (Coastal Highway) and Indian River Inlet and south of interior street within Simpsons Mobile Home Park south of South Shore Marina and being Lot 61 of Simpsons Mobile Home Park; said property being identified as Sussex County Tax Map Parcel Number 1-34-2.00-4.00-Park. After a hearing, the Board made the following findings of fact:

1. The Board found that the Office of Planning & Zoning received no letters regarding to the Application.
2. David DeCristo was sworn in to testify about the Application.
3. The Board found that Mr. DeCristo testified that the Property is located within Simpson's Mobile Home Park.
4. The Board found that Mr. DeCristo testified that he purchased the lot with the understanding that a stick-built dwelling could be built on the lot.
5. The Board found that Mr. DeCristo testified that he intends to construct a more hurricane resistant structure that is two (2) stories tall on top of pilings.
6. The Board found that Mr. DeCristo testified that the proposed stick-built dwelling will provide enough room for his large family and parking underneath.
7. The Board found that Mr. DeCristo testified that he discovered that a stick-built dwelling was not permitted in the park when his builder tried to obtain the building permit.
8. The Board found that Mr. DeCristo testified that there are other multiple story dwellings in the park and that the newer structures in the park are built on pilings.
9. The Board found that Mr. DeCristo testified that there are modular homes in the neighborhood as well.
10. The Board found that Mr. DeCristo testified that there are approximately fifteen (15) manufactured homes in the park.
11. The Board found that Mr. DeCristo testified that the lot measures fifty (50) feet by one-hundred (100) feet.
12. The Board found that Mr. DeCristo testified that the proposed stick-built dwelling will meet the setback requirements and will not exceed the 35% maximum allowable lot coverage requirement.
13. The Board found that Mr. DeCristo testified that some mobile homes in the park have additions.
14. The Board found that Mr. DeCristo testified that off-street parking is a problem in the park.
15. The Board found that Mr. DeCristo testified that he does not plan to have a shed on the lot.

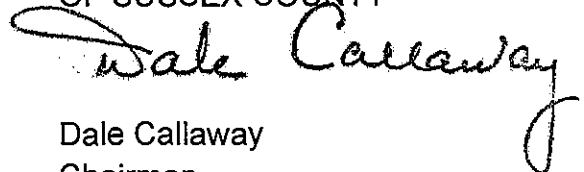
16. The Board found that no parties appeared in support of or in opposition to the Application.
17. Based on the findings above and the testimony presented at the public hearing and the public record, the Board determined that the application met the standards for granting a special use exception because the use does not substantially affect adversely the uses of adjacent or neighboring properties. There are other similar dwellings in the neighborhood and the Applicants' proposed dwelling will meet all setback requirements. No evidence was presented to the Board which would demonstrate that the proposed dwelling would have a substantial adverse effect on neighboring and adjacent properties.

The Board granted the special use exception application finding that it met the standard 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 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.

Date June 3, 2014