

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: ABSHER FARMS, LLC

(Case No. 11392)

A hearing was held after due notice on May 19, 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 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. This application pertains to certain real property located east of Road 570 (Double Fork Road) 0.5 mile south of Route 16 (Hickman Road); said property being identified as Sussex County Tax Map Parcel Number 5-30-2.00-25.12. After a hearing, the Board made the following findings of fact:

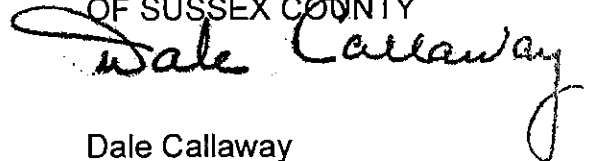
1. The Board found that the Office of Planning & Zoning received no letters regarding to the Application.
2. Raymond T. Absher, Jr., was sworn in to testify about the Application.
3. The Board found that Mr. Absher testified that he recently purchased a forty-seven (47) acre farm and that a $\frac{3}{4}$ -acre building lot was included in the sale.
4. The Board found that Mr. Absher testified that a 1996 double-wide manufactured home will be placed on the $\frac{3}{4}$ -acre lot.
5. The Board found that Mr. Absher testified that he plans to live in the unit until he can build a dwelling on the forty-seven (47) acre farm.
6. The Board found that Mr. Absher testified that the unit will be used for farm help once his dwelling is built.
7. The Board found that Mr. Absher testified that the unit will not adversely affect the surrounding and neighboring properties.
8. The Board found that Mr. Absher testified that he owns the surrounding lands.
9. The Board found that Mr. Absher testified that the unit will have a block foundation and be well maintained.
10. The Board found that Mr. Absher testified that there are similar homes in the area and that there is an old farmhouse with two (2) abandoned poultry houses across the street.
11. The Board found that Mr. Absher testified that he obtained a septic permit for the Property.
12. The Board found that Mr. Absher submitted pictures of the manufactured home for review.
13. The Board found that no parties appeared in support of or in opposition to the Application.
14. Based on the findings above and the testimony and exhibits 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 Applicant owns surrounding lands and there are similar homes in the neighborhood. The manufactured home will be well-maintained. No evidence was presented which would demonstrate that the proposed manufactured home would substantially affect adversely the uses of 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.

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

Date July 8, 2014