

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: CHESTER TOWNSEND

(Case No. 11399)

A hearing was held after due notice on June 2, 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 manufactured home type structure for medical hardship.

Findings of Fact

The Board found that the Applicant was seeking for a special use exception to place a manufactured home type structure for medical hardship. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property located west of Road 341 (Falling Point Road), 0.25 mile north of Road 341A (Ballast Point Road) (911 Address: 32423 Falling Point Road); said property being identified as Sussex County Tax Map Parcel Number 1-34-6.00-161.04. After a hearing, the Board made the following findings of fact:

1. The Board found that the Office of Planning & Zoning received no correspondence in support of or in opposition to the Application.
2. Shirley Townsend was sworn in to testify on behalf of the Application.
3. The Board found that Ms. Townsend testified that the doublewide unit will measure twenty-eight (28) by thirty-eight (38) feet and is a brand new unit.
4. The Board found that Ms. Townsend testified that her mother will reside in the unit.
5. The Board found that Ms. Townsend testified that the unit will be placed on the Property near her home and other outbuildings and that the unit will look similar to the other buildings on the Property.
6. The Board found that Ms. Townsend testified that the unit will be skirted and that the unit will likely not be seen from the road.
7. The Board found that Ms. Townsend testified that the use will not substantially affect adversely the uses of adjacent and neighboring properties.
8. The Board found that no parties appeared in support of or in opposition to the Application.
9. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, the Board determined that the Application met the standards for granting a special use exception. The proposed use will not substantially affect adversely the uses of neighboring and adjacent properties. The Property is large and wooded and there are other structures located thereon. The unit is a brand new unit, will be skirted, and will look similar to those other structures. No evidence was presented that the proposed use would substantially affect adversely the uses of neighboring and adjacent properties. The special use exception was approved for two (2) years.

The Board approved the special use exception application for a period of two (2) 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 two (2) 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 July 22, 2014