

**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: TIM PULICE**

**(Case No. 11477)**

A hearing was held after due notice on October 20, 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 type structure 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 type structure that is more than five (5) years old. This application pertains to certain real property located east of Road 432, (Governor Stockley Road) 1,900 feet north of Road 329 (E Piney Grove Road) (911 Address: None Available); said property being identified as Sussex County Tax Map Parcel Number 1-33-10.00-34.02). After a hearing, the Board made the following findings of fact:

1. The Board found that the Office of Planning & Zoning received one (1) letter in opposition to the Application and no correspondence in support of the Application.
2. Tim Pulice and Adam Rones were sworn in to testify about the Application.
3. The Board found that Mr. Pulice and Mr. Rones submitted pictures for the Board to review.
4. The Board found that Mr. Rones testified that the Applicant seeks to place a mobile home on the Property.
5. The Board found that Mr. Rones testified that the proposed manufactured home is a 2004 model in good condition.
6. The Board found that Mr. Rones testified that the home has vinyl siding and a standard roof pitch.
7. The Board found that Mr. Rones testified that it is not apparent from the road that the unit is an older manufactured home.
8. The Board found that Mr. Rones testified that the use will not substantially affect adversely the uses of neighboring and adjacent properties.
9. The Board found that Mr. Rones testified that the area is residential.
10. The Board found that Mr. Rones testified that the Property was previously used as a radiator shop.
11. The Board found that Mr. Rones testified that the Property is currently vacant.
12. The Board found that Mr. Rones testified that the proposed manufactured home will meet all required setback requirements.
13. The Board found that Mr. Pulice testified that he plans to sell the Property once he has placed the manufactured home thereon.
14. The Board found that Mr. Pulice testified that he purchased the Property in 2008 for approximately \$150,000.00.
15. The Board found that Mr. Pulice testified that he hopes to place the manufactured home and sell the Property as a package deal.
16. Virginia Fletcher, Harry Fletcher, and James Baxter, IV, were sworn in and testified in opposition to the Application.
17. The Board found that no parties appeared in support of the Application.
18. The Board found that three (3) parties appeared in opposition to the Application.

19. After the public hearing was closed, the Board voted to table its decision on the Application until November 3, 2014.
20. At its meeting on November 3, 2014, the Board discussed the Application and voted.
21. 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 manufactured home will not substantially affect adversely the uses of neighboring and adjacent properties. The pictures of the manufactured home indicate that the home is in good condition and is presentable. The arguments presented by the opposition did not convince the Board that the proposed manufactured home would have a substantial adverse effect on the uses of neighboring and adjacent properties.

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 were Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman. Mr. Jeff Hudson voted against the Motion to approve the special use exception application. Mr. Dale Callaway did not participate in the discussion or vote of this 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 January 6, 2015