

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

**IN RE: TED MCBRIDE**

**(Case No. 11516)**

A hearing was held after due notice on January 26, 2015. 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 temporary use as an office.

**Findings of Fact**

The Board found that the Applicant was seeking a special use exception to place a manufactured home type structure for temporary use as an office. This application pertains to certain real property located west of Route 13 (Sussex Highway) approximately 1,910 feet south of Road 452 (West Snake Road) (911 Address: None Available); said property being identified as Sussex County Tax Map Parcel Number 5-32-13.00-63.07.

1. The Board was given copies of the Application, a portion of the tax map of the area, a printout of property information, and a statement from the Applicant.
2. The Board found that the Office of Planning & Zoning received one (1) letter in support of the Application.
3. Ted McBride was sworn in to testify about the Application.
4. The Board found that Mr. McBride testified that he works for Eastern Shore Tractor Company and that a Bobcat dealership will be located on the Property.
5. The Board found that Mr. McBride testified that the Applicant plans to use a 24 feet by 60 feet manufactured home type structure for their temporary office until the construction of the new, state-of-the-art building for the dealership is completed.
6. The Board found that Mr. McBride testified that the proposed unit will be a new model.
7. The Board found that Mr. McBride testified that the Applicant plans to use the unit for two (2) years or less and that the unit will be removed when construction is completed.
8. The Board found that Mr. McBride testified that there are other commercial entities in the area.
9. The Board found that Mr. McBride testified that the use will not substantially adversely affect the surrounding and neighboring properties.
10. The Board found that Mr. McBride testified that the Property is located along Route 13.
11. The Board found that no parties appeared in support of or in opposition to the Application.
12. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board found credible, persuasive, and un rebutted, the Board determined that the application met the standards for granting a special use exception. The findings below further support the Board's decision to approve the Application.
  - a. The use will not substantially affect adversely the uses of neighboring properties.
  - b. The Property is located along Route 13 near other commercial properties.

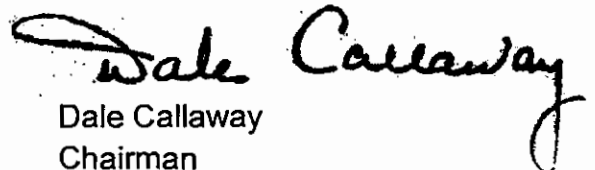
- c. A neighbor has submitted a letter in support of the application and no testimony or evidence was offered in opposition to the application.
  - d. The Applicant intends to use the new manufactured home-type structure until such time as the permanent dealership building is completed at which time the manufactured home-type structure will be removed from the Property.
  - e. No testimony or evidence was presented which would indicate that the proposed use would have a substantial adverse effect on neighboring and adjacent properties.
13. The Board approved the special use exception for a period of two (2) years.

The Board granted 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 special use exception application was approved for a period of two (2) years. 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 March 3, 2015