

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: KERRY KING

(Case No. 11523)

A hearing was held after due notice on February 2, 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 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 at southeast of Road 66 (Pepperbox Road) approximately 300 feet northeast of Road 64 (Whitesville Road) (911 Address: None Available); said property being identified as Sussex County Tax Map Parcel Number 5-32-15.00-83.14.

1. The Board was given copies of the Application, a portion of the tax map of the area, and a survey of the Property dated October 8, 2014.
2. The Board found that the Office of Planning and Zoning received no correspondence regarding the Application.
3. Tammy Hitchens was sworn in to testify about the Application.
4. The Board found that Ms. Hitchens testified that she is the Applicant's real estate agent.
5. The Board found that Ms. Hitchens testified that the Applicant purchased a property with an existing manufactured home located thereon and that he built a single-family dwelling on that property.
6. The Board found that Ms. Hitchens testified that the Applicant has purchased this property and would like to place the manufactured home from the other property on this property for use by an employee.
7. The Board found that Ms. Hitchens testified that the manufactured home is a 2006 Fleetwood model and will be skirted.
8. The Board found that Ms. Hitchens testified that there are older double-wide manufactured homes in the area and that there are wooden lots nearby as well.
9. The Board found that Ms. Hitchens testified that the use will not substantially adversely affect the uses of the adjacent and neighboring properties.
10. The Board found that Ms. Hitchens submitted pictures of the manufactured home for the Board to review.
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 Board was convinced that the manufactured home would not substantially affect adversely the uses of neighboring and adjacent properties.
 - b. The evidence demonstrates that there are other manufactured homes in the area.


- c. No evidence was presented to the Board 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 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. 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 April 7, 2015