

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

**IN RE: MARK MECKES & EDITH MECKES**

**(Case No. 11589)**

A hearing was held after due notice on June 22, 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 for a private garage for more than four (4) automobiles.

Findings of Fact

The Board found that the Applicants are requesting a special use exception for a private garage for more than four (4) automobiles. This application pertains to certain real property located on the south side of Jay Patch Road approximately 277 feet southeast of Pepper Road (911 Address: None Available); said property being identified as Sussex County Tax Map Parcel Number 5-33-9.00-52.07. After a hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, renderings of the proposed garage, a survey dated February 5, 2005, an aerial photograph of the Property, a portion of the tax map of the area, and a survey dated April 21, 2015.
2. The Board found that the Office of Planning and Zoning received no letters in support of or in opposition to the Application.
3. The Board found that Mark Meckes was sworn in and testified regarding the Application and Chad Meredith, Esquire, presented the Application on behalf of the Applicants.
4. The Board found that Mr. Meredith stated that the Applicants have a home nearby and do not plan to place a dwelling on the Property.
5. The Board found that Mr. Meredith stated that the proposed detached garage will be the only structure on the Property.
6. The Board found that Mr. Meredith stated that the Property is over one (1) acre in size.
7. The Board found that Mr. Meredith stated that the garage will look like a barn. A neighboring property to the east has a similar structure thereon.
8. The Board found that Mr. Meredith stated that the Applicants plan to store classic cars, enclosed trailers, boats, and other personal items in the garage. The garage will only be used to store personal items and none of the items stored will be used for business purposes. The proposed garage will have a second floor where the Applicants plan to store furniture.
9. The Board found that Mr. Meredith stated that the Property is surrounded by trees and the trees buffer the Property from neighboring lands.
10. The Board found that Mr. Meredith stated that the proposed garage will fit in with the character of the neighborhood and zoning district.
11. The Board found that Mr. Meckes, under oath, confirmed the statements made by Mr. Meredith.
12. The Board found that Mr. Meckes testified that there will not be any bathrooms in the garage.
13. The Board found that Mr. Meckes testified that the Applicants live approximately 1.5 miles away from this property.
14. The Board found that Mr. Meckes testified that he keeps trailers for his classic cars and intends to store them in the garage.

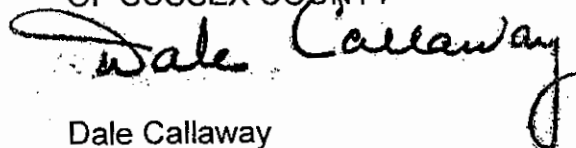
15. The Board found that Mr. Meckes testified that he does not intend to put a dwelling on the Property but does not rule out doing so in the future.
16. The Board found that no parties appeared in support of or in opposition to the Application.
17. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board finds credible, persuasive, and unrebutted, the Board determined that the application met the standards for granting a special use exception because the proposed garage as shown on the schematic will not substantially affect adversely the uses of neighboring and adjacent properties. The findings below further support the Board's decision to approve the Application.
  - a. The proposed garage is similar to other structures on neighboring properties.
  - b. The Property is over an acre in size and is surrounded on three sides by trees which should shield view of the garage from neighbors. The secluded nature of the Property is clear when reviewing the aerial photograph.
  - c. The surrounding area is rural in nature as evidenced by the aerial photograph.
  - d. The garage will only be used to store personal items owned by the Applicants and will not be used for commercial or business purposes.
  - e. No evidence was presented to the Board which would demonstrate that the proposed garage would substantially affect adversely the uses of neighboring and adjacent properties.
  - f. There was no evidence that the proposed garage would alter the character of the neighborhood or affect property values.

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 August 4, 2015