

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: THE JFFERSON SCHOOL

(Case No. 11629)

A hearing was held after due notice on September 14, 2015. The Board Members present were: Mr. Dale Callaway, Mr. Jeff Hudson, and Mr. Norman Rickard.

Nature of the Proceedings

This is an application for a special use exception to place two (2) temporary manufactured home type structures for classrooms.

Findings of Fact

The Board found that the Applicant is requesting a special use exception to place two (2) temporary manufactured home type structures for classrooms. This application pertains to certain real property located on the north side of Wilson Road approximately 1,390 feet west of Sand Hill Road (911 Address: 22051 Wilson Road, Georgetown); said property being identified as Sussex County Tax Map Parcel Number 1-35-10.00-16.00. After a hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, a portion of the tax map of the area, and a survey dated July 13, 2015.
2. The Board found that the Office of Planning and Zoning had not received any correspondence in support of or in opposition to the Application.
3. The Board found that Connie Hendricks and Michael Glick were sworn in and testified regarding the Application.
4. The Board found that Mr. Glick testified that the classrooms are needed due to an increase in enrollment at the Jefferson School. The Applicant needs additional space to accommodate the students.
5. The Board found that Mr. Glick testified that the structures will be used temporarily until additions to the school are complete.
6. The Board found that Mr. Glick testified that the closest residence is approximately four hundred (400) feet from the proposed classrooms and will be located adjacent to an existing parking lot.
7. The Board found that Mr. Glick testified that the neighbors have no objection to the Application.
8. The Board found that Mr. Glick testified that the Applicant received approval from the State Fire Marshal for the structures.
9. The Board found that Mr. Glick testified that the classrooms will be needed for approximately three (3) years while the Applicant undergoes a capital campaign and constructs the permanent additions.
10. The Board found that Ms. Hendricks testified that the units will be used for music, health, and Spanish classes. No students will spend an entire school day in the units. One (1) unit will be used as two (2) classrooms and one (1) unit will be a full classroom.
11. The Board found that Ms. Hendricks testified that the surrounding properties are residential and the Redden State Forest is nearby. The area around the Property is heavily wooded.
12. The Board found that one (1) party appeared in support of the Application.
13. The Board found that no parties appeared in opposition to the Application.
14. 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 because the manufactured home-type

structures 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.

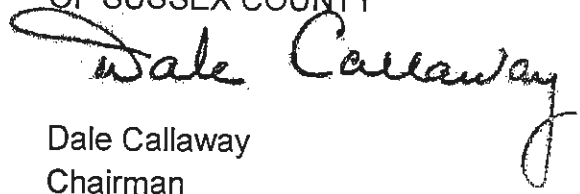
- a. The Property is a large lot consisting of over 40 acres as shown on the survey and tax map. The Applicant already operates a school on the Property and the structure will be used temporarily while the Applicant constructs its permanent addition for classrooms. The addition is needed to accommodate increased enrollment. The structures and proposed used thereof are consistent with the current use of the Property.
- b. The Property is located in a largely wooded area and the structures are difficult to see from most neighboring properties. The structures will be approximately 400 feet from the closest residential property.
- c. No evidence was presented which would demonstrate that the structure will have a substantial adverse effect on neighboring and adjacent properties.
- d. The special use exception was approved for a period of three (3) years.

The Board granted the special use exception application for a period of three (3) 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 three (3) years. The Board Members in favor were Mr. Dale Callaway, Mr. Jeff Hudson, and Mr. Norman Rickard. No Board Members voted against the Motion to approve the special use exception application. Mr. John Mills and Mr. Brent Workman were not present and 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 October 20, 2015.