

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: INSIGHT HOMES

(Case No. 11690)

A hearing was held after due notice on January 4, 2016. The Board members present were: Mr. Dale Callaway, Mr. John Mills, Mr. Jeff Hudson, Mr. Norman Rickard, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception to place a temporary manufactured home type structure as a sales office.

Findings of Fact

The Board found that the Applicant is requesting a special use exception to place a temporary manufactured home type structure for a sales office. This application pertains to certain real property located on the north side of Lewes-Georgetown Highway (Route 9) approximately 914 feet east of Gravel Hill Road (911 Address: None Available); said property being identified as Sussex County Tax Map Parcel Number 1-35-11.00-66.00. After a hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application and a survey dated August 28, 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 Tony Crane was sworn in and testified regarding the Application.
4. The Board found that Mr. Crane testified that he is the Land Acquisition Manager for Insight Homes and the Applicant placed a sales trailer on the Property. The Applicant applied for the special use exception right after being notified that it was required. The unit has been on the Property since late summer.
5. The Board found that Mr. Crane testified that the use does not substantially adversely affect the surrounding and adjacent properties. The area surrounding the Property is largely wooded and along Route 9.
6. The Board found that Mr. Crane testified that the Applicant only intends to use the trailer for 6 months and the unit will be removed once the model is constructed. The model should be completed in a few months but the Applicant requests a period of one (1) year for the sales trailer in case it takes longer to complete the model home.
7. The Board found that Mr. Crane testified that the unit is a construction trailer that is in good condition and is approximately 4 years old.
8. The Board found that Mr. Crane testified that the Applicant will provide an adequate parking area and there will be landscaping around the unit.
9. The Board found that Mr. Crane testified that the unit measures 10 feet by 30 feet.
10. The Board found that no parties appeared in support of or in opposition to the Application.
11. 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 structure 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.

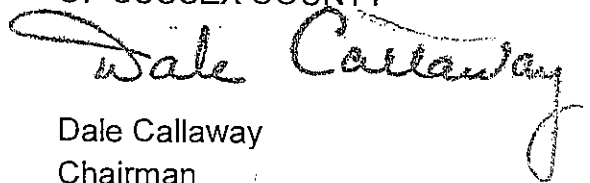
- a. The Property is part of a development of Insight Homes where the Applicant is constructing homes. The Applicant has operated a business on the Property in the existing trailer for several months and the structure will be used temporarily while the Applicant constructs its model home. Once the model home is complete, the unit will be removed from the Property.
- b. As evidenced by the survey, the Applicant has sufficient parking around the unit.
- c. The Applicant demonstrated that the unit is only 4 years old and is in good condition. The area surrounding the unit will be landscaped to improve its appearance.
- d. No evidence was presented which would demonstrate that the structure will have a substantial adverse effect on neighboring and adjacent properties.
- e. The special use exception was approved for a period of one (1) year.

The Board granted the special use exception application for a period of one (1) year 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 one (1) year. 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 1, 2016.