

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY
IN RE: SHOWFIELD LEWES, LP / JACK LINGO, INC.

(Case No. 11890)

A hearing was held after due notice on December 12, 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 use a manufactured home type structure as a sales office.

Findings of Fact

The Board found that the Applicants are requesting a special use exception to use manufactured home type structure as a sales office. This application pertains to certain real property located on the east side of Show Jumper Lane approximately 213 feet north of Gills Neck Road (911 Address: 18226 Show Jumper Lane, Lewes); said property being identified as Sussex County Tax Map Parcel Number 3-35-8.00-1001.00. 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, an aerial photograph of the Property, a landscape plan, and a site plan of the Property dated October 2016.
2. The Board found that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application.
3. The Board found that Nick Hammonds was sworn in and testified regarding the Application.
4. The Board found that Mr. Hammonds testified that the proposed use will not substantially adversely affect the uses of the neighboring and adjacent properties.
5. The Board found that Mr. Hammonds testified that the Showfield Subdivision is a 166 lot subdivision which is being developed off of Gills Neck Road near Lewes.
6. The Board found that Mr. Hammonds testified that utilities have been recently installed for 49 lots.
7. The Board found that Mr. Hammonds testified that the proposed unit will be placed on Lot 2 and used as a sales office until the model home is completed.
8. The Board found that Mr. Hammonds testified that the model home will be built on Lot 1, which is the lot immediately adjacent to the site of the proposed sales trailer.
9. The Board found that Mr. Hammonds testified that the Applicant is seeking an approval for one (1) year.
10. The Board found that Mr. Hammonds testified that the unit will measure 12 feet by 48 feet and meet all the required setback requirements.
11. The Board found that Mr. Hammonds testified that the developer owns the adjacent lots and the nearest completed homes are located several hundred feet away.
12. The Board found that Mr. Hammonds testified that there will be landscaping and adequate parking available.
13. The Board found that no parties appeared in support of or 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 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.

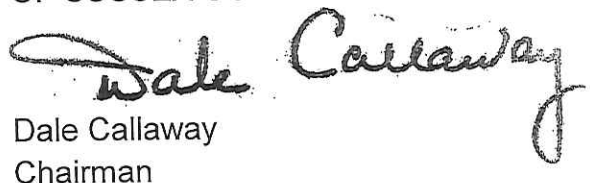
- a. The Property is part of a development where the Applicant is constructing homes. The Applicant intends to use a manufactured home type structure temporarily while the Applicant constructs its model home. Once the model home is complete, the unit will be removed from the Property.
- b. Since the Applicant is marketing lots for sale, the Applicant has an incentive to keep a neat appearance of the lot and the manufactured home type structure and to minimize the effect of the unit on neighboring and adjacent properties.
- c. The Applicant owns the lots adjacent to the lot where the unit will be placed and the nearest property where a completed home is located several hundred feet away.
- d. The Applicant demonstrated that the area surrounding the unit will be landscaped to improve its appearance.
- e. No evidence was presented which would demonstrate that the structure will have a substantial adverse effect on neighboring and adjacent properties.
- f. 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 2/7/2017