

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: KATHLEEN SKOWRYA & JAMES SKOWRYA

(Case No. 12349)

A hearing was held after due notice on August 19, 2019. The Board members present were: Dr. Kevin Carson, Mr. Jeff Chorman, Ms. Ellen Magee, and Mr. John Williamson.

Nature of the Proceedings

This is an application for a special use exception to operate a bed and breakfast.

Findings of Fact

The Board found that the Applicants are seeking a special use exception to operate an existing 3-bedroom dwelling as a bed and breakfast. This application pertains to certain real property located on the south side of Handy Road approximately 0.83 miles south of McDonnell Road and 467 feet east of the Maryland Stateline (911 Address: 19505 Handy Road, Bridgeville); said property being identified as Sussex County Tax Map Parcel Number 1-31-12.00-27.02. After a hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, pictures of the home, a subdivision plan dated September 6, 2017, a construction plan dated May 1, 2017, an aerial photograph of the Property, an entrance permit, and a portion of the tax map of the area.
2. The Board found that the Office of Planning & Zoning received no correspondence in support of or in opposition to the Application.
3. The Board found that Kathleen Skowrya was sworn in to testify about the Application. Ms. Skowrya submitted a petition from neighbors supporting the Application.
4. The Board found that Mr. Skowrya testified that the dwelling is two years old on a large lot.
5. The Board found that Mr. Skowrya testified that it is a quiet neighborhood with agricultural lands nearby and there will be a minimal traffic impact to the area.
6. The Board found that Mr. Skowrya testified that there is adequate parking for guests.
7. The Board found that Mr. Skowrya testified that she intends to rent out 2 bedrooms for up to 4 guests.
8. The Board found that Mr. Skowrya testified that granting this special use exception will not substantially affect adversely the uses of adjacent and neighboring properties.
9. The Board found that Mr. Skowrya testified that there will be no cooking facilities in the individual rooms.
10. The Board found that one person appeared in support of and no one appeared 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 bed and breakfast 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 2.1771 acres as shown on the survey. The lot can comfortably hold a dwelling (to be used as a bed and breakfast).
 - b. Neighbors have signed a petition supporting the request.

- c. There was no evidence presented which indicates that traffic, noise, emissions, or light will be significantly impacted by the bed and breakfast.
- d. There will only be two (2) total bedrooms used by guests of the bed and breakfast. This number of bedrooms is limited and is reasonable.
- e. There are no cooking facilities in the individual rental rooms and the Applicant has parking for the tenants.
- f. While the Property is in a residential area, the use is consistent with residential uses.
- g. No evidence was presented which demonstrated that the bed and breakfast will have any adverse effect on neighboring and adjacent properties; let alone a substantial adverse effect.

The Board granted the special use exception application for a period of five (5) 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 five (5) years. The Board Members in favor were Dr. Kevin Carson, Mr. Jeffrey Chorman, Ms. Ellen Magee, and Mr. John Williamson. No Board Member voted against the Motion to approve the special use exception application. Mr. Brent Workman did not participate in the discussion or vote on this application.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY



Ellen M. Magee
Chair

If the use is not established within two (2) years from the date below the application becomes void.

Date October 22, 2019