

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

**IN RE: ALIECA MOLLOCK**

**(Case No. 12537)**

A hearing was held after due notice on April 12, 2021. The Board members present were: Dr. Kevin Carson, Mr. Jeff Chorman, Mr. John T. Hastings, Mr. John Williamson, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception to operate a day care center.

Findings of Fact

The Board found that the Applicant is seeking a special use to operate a day care center. This application pertains to certain real property located on the west side of Jamore Drive within the Beaver Dam Heights Subdivision (911 Address: 24188 Jamore Drive, Seaford) said property being identified as Sussex County Tax Map Parcel Number 3-31-6.00-194.00. After a public hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, a drawing of the Property, an invoice for a fence, pictures, letters of support, an aerial photograph of the Property, and a portion of the tax map of the area.
2. The Board found that the Office of Planning & Zoning received five (5) letters in support of and no correspondence in opposition to the Application.
3. The Board found that Alieca Mollock was sworn in to give testimony about the Application.
4. The Board found that Ms. Mollock testified that she is the owner and sole provider at her family daycare, which is called Kingdom Kids Childcare, where she currently cares for six children.
5. The Board found that Ms. Mollock testified that she is licensed to care for nine children because of the square footage in her daycare room and the special use exception will allow her to increase the capacity.
6. The Board found that Ms. Mollock testified that there are several people on a waiting list.
7. The Board found that Ms. Mollock testified that the daycare will not affect the adjacent and neighboring properties.
8. The Board found that Ms. Mollock testified that the hours of operation are 7:00 am – 5:00 pm.
9. The Board found that Ms. Mollock testified that she currently cares for 4 preschool children and 2 school age children and that, if the special use exception is approved, there will be 6 preschool children and 3 school age children in the daycare.
10. The Board found that Ms. Mollock testified that there are no other employees.
11. The Board found that Ms. Mollock testified that the daycare has been operating since 2019 and there have been no complaints from neighbors.
12. The Board found that Ms. Mollock testified that the daycare is located in her home which is in a residential area.
13. The Board found that Ms. Mollock testified that there are staggered drop off times.
14. The Board found that Ms. Mollock testified that there are two outdoor play areas.
15. The Board found that no one appeared in support of or in opposition to the Application.
16. 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 daycare facility 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 Applicant proposes to operate a daycare facility to care for up to 9 children.
- b. Based on a review of the aerial photograph, there is adequate parking on the Property. There is also adequate room for the children to safely play outside.
- c. The number of children served at the daycare is limited and reasonable.
- d. The hours of the facility are reasonable.
- e. The daycare facility has a limited number of employees.
- f. While the daycare is in a residential area, no complaints have been noted in the record about the daycare.
- g. No one appeared in opposition to the Application and no evidence was presented which would demonstrate that the daycare facility would have a substantial adverse effect on neighboring and adjacent properties.
- h. The Board approved the daycare serving up to 9 children

The Board granted the special use exception 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 Dr. Kevin Carson, Mr. Jeffrey Chorman, Mr. Travis Hastings, Mr. John Williamson, and Mr. Brent Workman. No Board Member voted against the Motion to approve the special use exception application and variance application.

BOARD OF ADJUSTMENT  
OF SUSSEX COUNTY



John Williamson  
Chair

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

Date June 7, 2021