

MINUTES OF MARCH 17, 1997

The regular meeting of the Sussex County Board of Adjustment was held on Monday evening, March 17, 1997, in the County Council Administration Office Building, Georgetown, Delaware.

The meeting was called to order with Chairman McCabe presiding. The Board members present were: Mr. McCabe, Mr. Callaway, Mr. Mills, Mrs. Hudson, Mr. Wheatley, Mr. Jones-Attorney, Mr. Betts-Zoning Inspector III and Mrs. Watkinson-Planning & Zoning Secretary.

Motion was made by Mr. Mills, seconded by Mrs. Hudson and carried unanimously that the minutes of February 24, 1997, and March 3, 1997, be approved as circulated.

Mr. Jones read a statement explaining how the Board of Adjustment meetings are conducted and the procedure for hearing the cases.

Case No. 6266--Samuel A. Hitchens - south side of Route 24, 1,200 feet east of Route 424.

A special use exception to operate two commercial greenhouses on less than five acres.

The case was presented by Mr. Betts. Donna and Samuel A. Hitchens were sworn in and testified that a lack of work forced the applicants into self-employment; that a manufactured home and a farm adjoins the property; that each greenhouse would be 24' X 96'.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Mills and carried unanimously that the special use exception be granted.

Case No. 6267--Wayne Harmon Paskins - west side of Route 273, one mile south of Route One.

A variance from the side yard setback requirement.

The case was presented by Mr. Betts. Wayne Harmon Paskins was sworn in and testified that she plans to construct an addition. Mr. Betts informed that Board members that the case was approved fifteen months prior but the approval has expired.

Motion was made by Mr. Wheatley, seconded by Mr. Callaway and carried unanimously that the variance be granted.

Case No. 6268--Charles J. and Mildred G. Reid - west side of Route 5, 1,215 feet north of Route 290.

A special use exception to place a manufactured home on a medical hardship basis.

Mildred G. & Charles J. Reid were sworn in and testified that Mrs. Reid has had five operations with possibly two more operations needed; that a son and his wife would occupy the manufactured home; that the manufactured home would be 14 X 70.

Mr. Betts presented a letter from Myra Catts, M.D., stating the medical condition of Mrs. Reid.

Terry Lee Cook was sworn in and testified in opposition and presented a petition by six property owners within 200' of the property; questioned Mr. Reid about the well, septic, access, drainage, and the prognosis of a recovery for Mrs. Reid.

Elizabeth Hardle was sworn in and expressed her concerns with the drainage.

Cecelia Jean Thomas was sworn in and spoke in support of the application.

Motion was made by Mr. Callaway, seconded by Mrs. Hudson and carried unanimously that this case be taken under advisement.

At the conclusion of the public hearings, the Chairman referred back to this case. After some discussion, motion was made by Mr. Callaway, seconded by Mrs. Hudson and carried unanimously that this case be tabled.

Case No. 6269--Joyce Lord - southeast side of Route 575A, 1,000 feet southwest of Route 573.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Joyce Lord and Anna Mary Howell were sworn in and testified that they plan to place a 1988 28 X 60 manufactured home on a permanent foundation; that the land and manufactured home owner would be the same.

Motion was made by Mr. Mills, seconded by Mr. Wheatley and carried unanimously that the special use exception be granted with the stipulation the manufactured home be on a permanent foundation.

Case No. 6270--Sean Lasher - southwest side of Route 131, 1/4 mile southeast of Route 20.

A special use exception to retain a manufactured home for security purposes.

The case was presented by Mr. Betts. Bertha B. & Hiram M. Lasher were sworn in and testified that they would like to renew the approval for security purposes; that their grandson would still

live in the unit.

There were no parties present in opposition.

Motion was made by Mr. Callaway, seconded by Mr. Mills and carried unanimously that the special use exception be granted for a period of five (5) years.

Case No. 6271--Jean R. Rock and George A. Picot - north side of Mercer Avenue, on the west side of the intersection of Paul Street, Lot 6, within Delaware Oyster Farms.

A variance from the side yard setback requirement.

Mr. Betts informed the Board members that this application has been withdrawn.

Case No. 6272--Larry Coulbourne - south side of Route 548, at the northwest intersection of Penn Central Railroad.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Ruth Ann and Larry Thomas Coulbourne were sworn in and testified that the manufactured home would be new however the size was has not been determined yet; that woods and farmland adjoin the property; that there are three manufactured homes in the area; that there are dwellings on the road behind the property; that the son's name would be added to the deed for the property and on the manufactured home.

There were no parties present in opposition.

Motion was mad by Mr. Mills, seconded by Mrs. Hudson and carried unanimously that the special use exception be granted with the stipulation the unit be a doublewide manufactured home on a permanent foundation.

OLD BUSINESS:

Case No. 6263--David and Cecilia Thomas - south side of Route 46, 2,150 feet west of Route 446.

A special use exception to place a manufactured home on a medical hardship basis.

The case was presented by Mr. Betts. After some discussion a motion was made by Mr. Callaway, seconded by Mr. Mills that the special use exception be granted for a period of two (2) years. Vote was 4 in favor with 1 abstaining.

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Motion was made by Mr. Mills, seconded by Mrs. Hudson and carried unanimously that the meeting be adjourned.

Meeting adjourned at 7:55 P.M.